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Remaking "Public" Space: Neoliberal Spatial Management and the Criminalization of Homelessness in San Francisco's Union Square

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Contents

Super Bowl City: An Introduction

Nearly 112 million viewers tuned in on February 7, 2016 to watch the Denver Broncos play the Carolina Panthers in the Super Bowl, arguably the premier sporting event of the United States.[1] People watching spent the time with friends or family, eating and relaxing. For many, the highlight of 2016's Super Bowl 50 was the fact that Beyoncé, Coldplay, and Bruno Mars had a joint performance during halftime. Super Bowl 50 took place at Levi's stadium in Santa Clara, California. Meanwhile, 40 miles north in San Francisco, the National Football League (NFL) along with local government, business, and law enforcement staged the party planned for the big game and its fans. They named this celebration *Super Bowl City*.

According to the Super Bowl 50 Host Committee Website, Super Bowl City was "designed to showcase the best the Bay Area has to offer," and specifically "the region's technological prowess, culinary excellence and cultural diversity."[2] This took the shape of a free, public "fan village"[3] centered around the Justin Herman plaza and stretching along the Embarcadero and Market Street in downtown San Francisco. This "fan village" was open for the week prior to the actual Super Bowl game and served as a modified theme park, replete with interactive exhibits, gaming, activities, musical performances, and other venues exhibiting the qualities of San Francisco identified by the host committee.[4] As much as this was a celebration of the 50th anniversary of the NFL Super Bowl, its planners intended the event to act as a platform for advertising San Francisco as a city, a destination, and therein a commodity itself. As Jim Lazarus, senior vice president of the San Francisco Chamber of Commerce explained in an

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[1] Richard Sandomir, "Viewership of Super Bowl Falls Short of Record," *Nyt.com*, The New York Times, 08 Feb. 2016, Web.
[2] "Super Bowl City Presented By Verizon," *SFBaySuperBowl*, San Francisco Bay Area Super Bowl Host Committee, Web.
[3] Ibid.
[4] Emily Green, "S.F. Budget Analyst Says City Got Poor Financial Deal on Super Bowl," *SFGate*, Hearst, 16 Jan. 2016, Web.

interview, "This is a worldwide event that will *sell* San Francisco."[5]
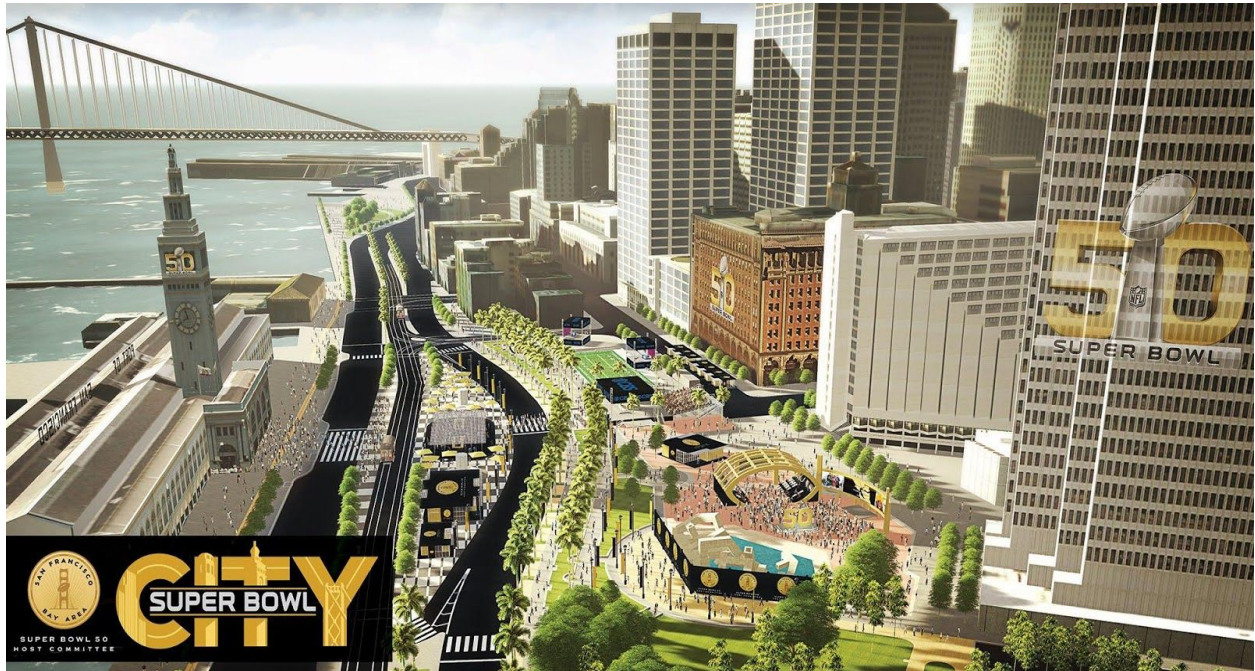
Super Bowl City Mockup Made by Host Committee[6]

In order to prepare for such a "sale," the city had to transform downtown into Super Bowl

City. In addition to gardening, cleaning, and diverting traffic and public transit, municipal

government acted to remove the visible symbol of poverty ever present in downtown San

Francisco: homeless people.[7] In the summer leading up to the Super Bowl, when asked what he

planned to do about the high population of homeless people that currently resided in the area

that would become Super Bowl City, Mayor Lee responded with "They are going to have to

leave."[8] While there was no formal policy, homeless people and advocates noted an increase in

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[5] Ian Lovett, "Super Bowl 50 Further Divides San Francisco," *NYT.com*, The New York Times, 04 Feb. 2016, Web. Emphasis added.

[6] "Super Bowl City Presented By Verizon," *SFBaySuperBowl*.

[7] "Homeless" refers to the official US Department of Health and Human Services' definition of "an individual who lacks housing." While I am aware of scholarly and activist work to change the language surrounding homelessness to focus on systemic causation, rather than perceived individual culpability, as well as the desire to recognize non-normative home-making practices through terms such as "houseless" or "housing deficient," I use the term "homeless" because it is still colloquially the most accessible term. I do however attempt to emphasize homeless people's agency and individuality by using "homeless" as an adjective and not a noun.

[8] Lee Romney, "San Francisco Sets Up For Super Bowl 50, but Where Will the Homeless Go?" *The Guardian*, Guardian News and Media, 28 Jan. 2016, Web.

"special sweeps" carried out by police officers and Department of Public Works employees.[9] Notably, the San Francisco Department of Homelessness and Supportive Housing relocated twenty-four people living in the Justin Herman plaza to a new shelter.[10] However, the much larger population of homeless people who were not deemed by the city to be "residing" in this area were required to leave, either with offers of services and care, or shuffled to another part of the city and told to wait until after the Super Bowl was over to return.[11]

Additionally, a list of screening procedures for visitors to Super Bowl City prevented people from bringing large bags, shopping carts, tents, and "any item deemed inappropriate or hazardous by Super Bowl City security."[12] These measures were safety precautions, but they largely targeted homeless people who most frequently rely on the outlawed items, further preventing their mobility and refusing them entrance to a large part of downtown. Sadly, this forced removal and selective entrance is nothing new in San Francisco. With more anti-homeless laws than any other city and an economy bound to image cultivation and destination management, this spatial reordering and regulation was prominent prior to the Super Bowl and continued after Super Bowl City ended.

These events prompted reactions throughout the city as people demonstrated, defaced Super Bowl 50 signs, and called for greater government investment in housing and homeless services.[13] Nevertheless, corporate power dominated and Super Bowl City went off without a hitch, raking in major profits for the NFL. This story epitomizes the situation in San Francisco urban planning, structural redesign, law enforcement, and homelessness policy, which together

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[9] Travis Waldron, "How Super Bowl 50 Became Ground Zero For The Fight Over Homelessness," *The Huffington Post*, HuffPost HPMG News, 06 Feb. 2016, Web.

[10] Stu, Woo, "The Vanishing Homeless of Super Bowl 50,"*The Wall Street Journal*, Dow Jones, 2 Feb. 2016, Web.

[11] Kevin Fagan and Steve Rubenstein, "Homeless Advocates Face Off With Cops at Super Bowl City," *San Francisco Chronicle*, San Francisco Chronicle, 3 Feb. 2016, Web.

[12] "Screening Procedures for Visitors to Super Bowl City presented by Verizon," *Super Bowl 50 Host Committee*.

[13] Waldron, "How Super Bowl 50 Became Ground Zero For The Fight Over Homelessness."; Ed Mazza, "San Francisco Vandals Keep Messing With Super Bowl 50 Signs, *"The Huffington Post*, HuffPost HPMG News, 02 Feb. 2016, Web.; Coalition on Homelessness San Francisco, "Not So Super SF Coalition on Homelessness," *Not So Super SF*, n.d., Web.

bolster a spatial order based on consumer-oriented use and design of public space. Through

this order, homeless people are made invisible, and if not, they are forcibly removed to

accommodate the gaze of the propertied-class.

Super Bowl City is a microcosm in a larger spectrum of neoliberal commodification

processes occurring in San Francisco that prioritize private interests and industry gain over

social needs. While this prioritization takes many forms, this thesis examines how San

Francisco vies for attention on an international stage, through destination cultivation and image

management that is dependent on the criminalization of homelessness. This intertwined

practice of aesthetic transformation with the rendering of homeless bodies as nonnormative and

therein "removable" has fundamentally transformed public space in San Francisco.

Public space redevelopment has been carried out through city planning, selective

destruction and displacement, increased policing and securitization, and a rearticulation of

social services and notions of "care" linked to punitive enforcement of the law. Neoliberalization

of the built environment has engulfed thought on homelessness. As a result, municipal

homeless policy is consumed by the practice of removing homeless people from "public" space

in order to uphold aesthetic order. San Francisco homeless management in turn fails to

challenge the structural causes behind homelessness and instead works to accommodate[14]

homelessness. This reproduces a logic that ignores injustices as a means of advancing

neoliberal structures of global capitalism and is increasingly concerned with the isolation of

poverty, boundary policing, and visible order.

While this thesis does not address the cause of homelessness, there are a number of

scholarly works that do so.[15] Instead, I examine how market logics, commodification, and

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[14] I use the word "accommodate" in reference to David Snow and Leon Anderson, *Down on their Luck: a Study of Homeless Street People* (Berkeley: University of California Press: 1993).They identify "accommodative responses" as the dominant form of social service for homeless people.

[15] See Kim Hopper, *Reckoning with homelessness* (Ithaca: Cornell University Press, 2003); Kenneth Kusmer, *Down and out, on the road: The homeless in American history* (Oxford: Oxford University Press, 2003); Peter Rossi, *Down*

punitive discipline are articulated through primary sources like San Francisco's 1985 Downtown

Plan, SRO destruction and displacement, the Union Square redesign, Union Square Business

Improvement District literature and policy, "quality of life" laws, the San Francisco 311 app,

mayoral campaigns to end homelessness, and Union Square Cares, a homeless service

program operated by local businesses. Together these practices and technologies are part of a

process of neoliberalization in San Francisco that erodes public space. Through a case study of

Union Square, this redevelopment, city marketing, and aestheticization of space becomes clear,

as does the criminalization and spatial management of homelessness used in order to facilitate

it. Within this locality, politicians, public-private partnerships, residents, and tourist-consumers

reproduce a process of spatialized violence that denies homeless people the right to occupy

public space while remaking the city for prospective consumers.

THE "LIBERAL" CITY

Following the election of Donald Trump in 2016, many called for "CalExit," the secession

of California from the United States. While there are many reasons behind this proposed exit,

most supporters believe that if left alone California would become a liberal paradise. San

Francisco is often listed as one of the top liberal cities in the U.S. and described as such in

popular discourse.[16] Home to the Beats, Summer of Love, and a large gay cultural scene, San

Francisco's history has been full of progressive vision. Because of this, there is a mystique

projected onto San Francisco that promotes a narrative of social change, innovation, and

tolerance. Writing in 1971, Howard Becker and Irving Horowitz described a "culture of civility" in

San Francisco that came to shape the discourse regarding the nature of the city.[17] They

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and out in America: The origins of homelessness (Chicago: University of Chicago Press, 1991); Snow and Anderson, Down on their Luck.

[16] See Chris Tausanovitch and Christopher Warshaw, "Representation in Municipal Government," American Political Science Review 108.3 (August 2014): 605-641, that lists San Francisco as the leading liberal city.

[17] Howard Becker and Irving Horowitz, Culture and Civility in San Francisco (New Brunswick: Transaction Books,

explained that in San Francisco "deviance, like difference, is a civic resource, enjoyed by tourist and resident alike."[18] Through this reverence of deviance, San Francisco had supposedly built a third-way in a time of white flight, suburbanization, and increasing urban poverty.

While praise for San Francisco may come from divergent places, it is popularly linked to this "culture of civility" and its connotation of liberal progressivism. But just like most other American cities, San Francisco has embraced the same processes of rising privatization and business control, whereby redevelopment abounds regardless of the displacement and destruction it incites. San Francisco has effectively been remodeled to fit a neoliberal logic of urban development that renders cities commodities in and of themselves, able to be consumed, exploited, and experienced for profit.

Moreover, this development is tightly linked to the prison industrial complex as California, the proposed site of liberal paradise, has been at the forefront of prison development in the US.[19] In California this neoliberalization has been coupled with increased sentencing measures like the three-strikes law and stringent support of the death penalty. This framework reproduces mass-incarceration, excessive police presence, and a rise in surveillance and security mechanisms. San Francisco, the supposed progressive city, is highly entrenched in a model of "securitized governance,"[20] whereby growth and commodification outweigh most social needs, and a carceral police state is used to clean up the mess. This punitive logic has come to dictate how homelessness is conceived of and managed by local government and private interests in San Francisco.

San Francisco is often considered a bellwether when it comes to homeless policy and

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1971).

[18] Ibid.,6.

[19] Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).

[20] Frank Vindevogel, "Private Security and Urban Crime Mitigation: A Bid for BIDs," *Criminal Justice* 5.3 (2005): 233-255.

service provision, with high spending and diverse proposed solutions. However, this framework is increasingly punitive, relying heavily on a penal backdrop through which visible elimination and maintenance of spatial order dominates. The surge of punitive recourse as a means of dealing with the lack of housing and gentrification has been profound. Through "quality of life" laws that regulate behavior in public space and target minor crimes often perpetrated by homeless people, San Francisco uses its police and shelter system to manage homelessness. Such policies transform homelessness from a social problem of housing deprivation and service deficiency to a problem of maintaining order to be carried out by law enforcement.[21] As a result, certain behaviors, practices, and bodies are increasingly policed out of public space.

This punitive logic is of course contested in certain ways, but it still remains submerged beneath the surface. Maybe it's true and San Francisco is different and more liberal in certain areas, but not because neoliberal practices are absent. Rather, this process is hidden under a rhetoric of diversity, tolerance, and false progressivism. San Francisco has a long history of behavior policing in public spaces. After all, it was the first city to put "Ugly Laws" into effect, prohibiting people with disabilities from being seen in public.[22] Most people rarely acknowledge this in their image of San Francisco. Even with its radical social movements and nonconformist communities, San Francisco has upheld oppressive structures that inscribe racist, anti-poverty sentiments into the built environment. This treatment of homelessness indicates an ever-increasing toleration of and disinterest in mass homelessness, with concurrent outrage over visible poverty.

DEFINING HOMELESSNESS

Scholars, politicians, social workers, and activists have all had a hand in crafting the

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[21] Alex Vitale, *City of Disorder: How the Quality of Life Campaign Transformed New York Politics*, (New York: New York University Press, 2008).
[22] Susan Schweik, The Ugly Laws: Disability in Public (New York: New York University, 2009).

definition of "homeless" as it is popularly conceived of today. Because I am concerned with neoliberal changes to the built environment and the management of spatial order, I focus on the visible homeless population, or those who live and spend much of their time in public spaces. Employing Don Mitchell's definition of homeless people as a "class of people who have nowhere else to *be* but in public,"[23] I highlight a conception of homeless people as those who lead their "private" lives in "public," and consequently challenge the social order of the public/private divide.

The public/private divide at the heart of this is not hardened or fixed in place but highly relative and reliant on context. I employ Susan Gal's definition of a "fractal" public/private divide, whereby the distinction between "public" and "private" is a discursive phenomenon used "to characterize, categorize, organize, and contrast virtually any kind of social fact: spaces, institutions, bodies, groups, activities, interactions, relations."[24] This fractal character implies a transitory and mutable nature to the division, and demands we recognize public space as constantly being recategorized and reproduced in different contexts. What is seen as private can at times also be public or have public within it and vice versa. In this case, homeless people modify the "public" space they occupy and transform it into something "private." This process calls into question the public/private binary through which people negotiate their lives and rights.

Our understanding of why homelessness is interpreted as a threat to the public/private discursive distinction can be further bolstered by recognizing homeless people as queer subjects. Jack Halberstam argues that there is a "queer temporality" that counters logics constructed by heteronormative capitalist values of reproduction, family, accumulation, labor

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[23] Don Mitchell, *The Right to the City: Social Justice and the Fight for Public Space* (New York City: Guilford Press, 2003), 9.

[24] Susan Gal, "A Semiotics of the Public/Private Distinction," *Going Public: Feminism and the Shifting Boundaries of the Private Sphere*, Ed. Joan Scott and Debra Keates (Urbana: University of Illinois Press, 2004), 261-275.

and production.[25] He contends that "queer subjects" either by choice, accidentally or by

necessity, live outside of normative logics, allowing them to partake in alternative relations to

time and space.[26] Homeless people can be identified as queer subjects therein, as they occupy

spaces others are able to retreat from (to the private sphere) and live their "private" lives in

"public."[27]

  Additionally, building off the work of many scholars, I recognize housing insecurity as a

form of anti-Black racism that is inevitably bound to the co-constitution of race and property,

whereby private property is fundamentally tied to both class and whiteness.[28] People of color

are increasingly being displaced from housing options in San Francisco as a result of the rising

cost of living, and those that stay behind are disproportionately impacted by poverty.[29] As a

result, while Black people make up only 6% of the city's population today, they represent nearly

40% of the homeless population.[30] Moreover, due to the nexus between homelessness and

incarceration, 56% of homeless people incarcerated in San Francisco jails are Black.[31] This

exposes the nature of racialized housing deprivation and subsequent homelessness, as well as

the racism imbued within homeless policy that bolsters racialized criminalization as a means of

managing homelessness.

METHODOLOGY & LITERATURE REVIEW

  My definition of homelessness is concerned with visibility because of the broader

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[25] Jack Halberstam, *In A Queer Time and Place: Transgender Bodies, Subcultural Lives* (New York: New York University Press, 2005), 2.

[26] Ibid.

[27] Ibid., 13.

[28] For more on racialized poverty, see George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics*, 2nd Edition (Philadelphia: Temple University Press, 2006); Cheryl L. Harris, "Whiteness as Property," Harvard Law Review 106. 8 (1993): 1707–1795; Craig Willse, *The Value of Homelessness: Managing Surplus Life in the United States* (Minneapolis: University of Minnesota Press, 2015); Rashad Shabazz, *Spatializing blackness: Architectures of confinement and black masculinity in Chicago*. (Chicago: University of Illinois Press, 2015).

[29] Leslie Fulbright, "Black Population Deserting S.F., Study Says," *SFGate*, Hearst, 10 Aug. 2008. Web.

[30] Coalition on Homelessness San Francisco, "Punishing the Poorest: How the The Criminalization of Homelessness Perpetuates Poverty in San Francisco" (2015): 1-86.

[31] Ibid.

ontological frame of this paper, which seeks to take part in the process of unearthing the ideological labor operating throughout space, as well as the techniques and practices that come to manage it. We must understand the diffuseness of power and seek to recognize how it operates. I engage in what Lisa Marie Cacho calls "dismembering value"[32] in order to see the roots of neoliberal meaning-making and ordering that influence the way we think about city planning and design, aesthetics, the "public," civility, safety, governance, and social services.

This call for dismemberment is echoed by Craig Willse as he argues for academic inquiry that moves away from "the homeless" as a studiable entity and towards the larger structures that produce and distribute housing insecurity and deprivation, and work to define and pathologize homelessness within a racialized political and economic order.[33] Through a focus on management rather than causation and demographics, I recognize my work as a site of contestation of the administration and reproduction of homelessness that is hugely reliant on a discursive divorce of homelessness from housing scarcity and inequality. This thesis exposes the larger structures and ideological narratives behind the multimodal management of homelessness.

Making The Social and the Spatial

A fundamental part of this project is to question the intention and power behind some of the seemingly neutral forces that structure life and the proposed "solutions" to homelessness in San Francisco. Employing a critical spatial analysis, I examine the ideological processes imbued materially through space via city planning, selective building destruction and development, social service provision, and the policing of boundaries, bodies, and behavior in public spaces. This perspective is highly indebted to the work of neo-Marxist spatial theorist Henri Lefebvre. Lefebvre defines space as a process, wherein actions and practices are

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[32] Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: NYU Press, 2012), 149.
[33] Willse, *The Value of Homelessness*.

constantly modifying, producing, and solidifying spatial realities.[34] Place, ideology and

representation are intertwined as they each assemble and are assembled by one another.[35]

Lefebvre writes, "Social space per se is at once work and product – a materialization of social

being."[36] The ideological and the material are conjoined, and the spatial and the social become

one, as what is spatial is inherently social and what is social is inherently spatial. Expanding on

Lefebvre, spatial theorist Edward Soja calls for the practice of "applying an assertive spatial

perspective" that acknowledges a "socio-spatial dialectic" and the "fundamental spatiality of

being."[37] Through an epistemological frame that acknowledges the power of space explicitly, I

seek to "heighten the awareness of the powerful grip on our lives that comes from the political

organization of space as it is imposed from above."[38]

In recognizing the non-neutrality of space, we must also consider with how capitalism

has shaped and been shaped by it. Understanding the economic structures that influence the

built environment is fundamental to understanding the role of space itself and its relationship to

homelessness. As Lefebvre explains, capitalism is able to overcome its internal contradictions

and achieve growth, "by occupying space, by producing a space."[39] There is no reproduction of

capitalist market society without the capitalist built environment and its spatial configuration of

power and order. David Harvey builds on this sentiment, arguing that both physical and social

infrastructures are necessary for the reproduction of capitalism and labor power.[40] Space is both

a reflection of social relations under capitalism and a further enforcer of those relations.[41]

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[34] Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Malden: Blackwell Publishing, 1991).
[35] Ibid., 38-39.
[36] Ibid., 101-102.
[37] Edward Soja, *Seeking Spatial Justice* (Minneapolis: University of Minnesota Press, 2010), 1-11,103.
[38] Ibid., 46.
[39] Henri Lefebvre, *The Survival of Capitalism*, trans. Frank Bryant (London: Allison and Busby, 1976), 21.
[40] David Harvey, *The Urbanization of Capital: Studies in the History and Theory of Capitalist Urbanization* (Baltimore: Johns Hopkins University Press, 1985), 144.
[41] See also Neil Smith, *Uneven Development: Nature, Capital and the Production of Space* (Oxford: Blackwell, 1984).

Quotidian Negotiation

This study of spatial power and practices in San Francisco is not situated outside of everyday life, but rather is highly bound to quotidian actions and exchanges, where social realities are constructed and contested. This project argues that the working and reworking of development, criminality, and "deviant" homelessness occurs daily in the public spaces of San Francisco. Much of this perspective is indebted to the work of feminist scholars like Elizabeth Grosz and Moira Gatens that call for an examination of the unconscious "background" and the "imaginary aspects of everyday consciousness,"[42] in order to better understand humans as historical beings with embodied habits that are enacted everyday.[43]

I supplement this appreciation of the quotidian with an awareness of the ways different sources of power are negotiated spatially. Sujey Vega explains this spatial mode of analysis as one "that recognizes how people inhabit space and the manner in which race, gender, ethnicity, and class are enacted in those places."[44] Moreover, Vernadette Vicuña-Gonzalez calls on academics "to acknowledge that both ideology and theory are produced, experienced, enacted, and felt in all sorts of different ways."[45] In this thesis, I acknowledge the management practices occurring everyday in public space as differentially experienced.Through spatial analysis, we can see how power is organized and operates across different modalities and is upheld by different actors.

Reckoning with Spatial Injustices

Inherent to my methodology is an activist frame that seeks to reckon with the ways in which injustice is produced and inscribed materially through the built environment. As Soja

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[42] Moira Gatens, *Imaginary Bodies: Ethics, Power, and Corporeality* (London: Routledge, 1996), 2.
[43] Elizabeth Grosz, *Space, Time, and Perversion: Essays on the Politics of Bodies* (New York: Routledge, 1995).
[44] Sujey Vega, *Latino Heartland: Of Borders and Belonging in the Midwest* (New York: New York University Press, 2015), 69.
[45] Vernadette Vicuña Gonzalez, *Securing Paradise: Tourism and Militarism in Hawai'i and the Philippines* (Durham: Duke University Press, 2013), 47.

observes, boundary making and the political organization of space pave the way for "spatial (in)justice" cultivated through ideological labor and "microtechnologies of social and spatial control" that permeate through everyday life.[46] I place critical spatial theory in a justice-based frame cognizant of the need for "dismemberment" in order to analyze the neoliberal logic that is entangled throughout top-down structures of management, quotidian practices, and space in order to recognize how these structures fail to adequately name and challenge the causes of homelessness and subsequently hold us back from creating more just geographies.

In order to engage in this critique, we must re-think the dominant spatial order and organization. By examining how injustice is enacted and reproduced spatially everyday, I work towards the deconstruction of the corporate-political commitment to devaluing the rights of homeless people and other spatial injustice carried out in the name of fortifying commodification and capital accumulation. This thesis is situated within a broader activist project to challenge capital's power and control over space as we begin to theorize alternate iterations of urban life and social order. Through theoretical labor, ideological examination, and case study analysis, we can recognize the injustice inscribed in the San Francisco built environment as a means of subsequently reorganizing such spaces.

THESIS ROADMAP

This thesis examines neoliberal city-making and its relationship with punitive homeless management. I acknowledge Union Square as a site of redevelopment, homeless management, and privatization of public space, and make use of spatial analysis to understand how these processes occur and what their impact is. I see the built environment, law, and social interactions as interwoven and reverberating throughout one-another and I make use of a range

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[46]Soja, *Seeking Spatial Justice*, 43.

of primary sources in order to acknowledge this. This combined text, media, and spatial analysis examines the neoliberal emphasis on market-making in San Francisco's public spaces and how homelessness is conceptualized and dealt with as a result. These practices gradually purify public space through the expulsion of "inappropriate" bodies, behaviors, and practices. In Union Square, homeless people are the primary target of this expulsion.

The following chapter explores processes of urban neoliberalization through a discussion of aesthetic importance and the build-up of public-private partnerships in San Francisco that privatize space as a means of commodifying it. The 1985 Downtown Plan and the Union Square Business Improvement District (USBID) become central to understanding the social and spatial practices that have transformed the Union Square neighborhood. Chapter 2 highlights the criminalization of homeless people enacted by "quality of life" laws and the way these laws are enforced through quotidian surveillance practices. Here, I discuss issues of citizenship when homeless people are ejected from the public sphere and new technologies of surveillance that engage residents and tourists alike. Chapter 3 includes a brief history of homeless policy and services, and argues that due to criminalization, a system of accommodation without structural analysis has taken hold in municipal homeless management. This management is now being co-opted by the USBID. The thesis concludes by raising questions regarding resistance practices in San Francisco, and the potential mobilization of a different urban order and built environment.

Chapter 1: *The Rise of the Public-Private Paradigm & Commodified Pseudo-Public Space*
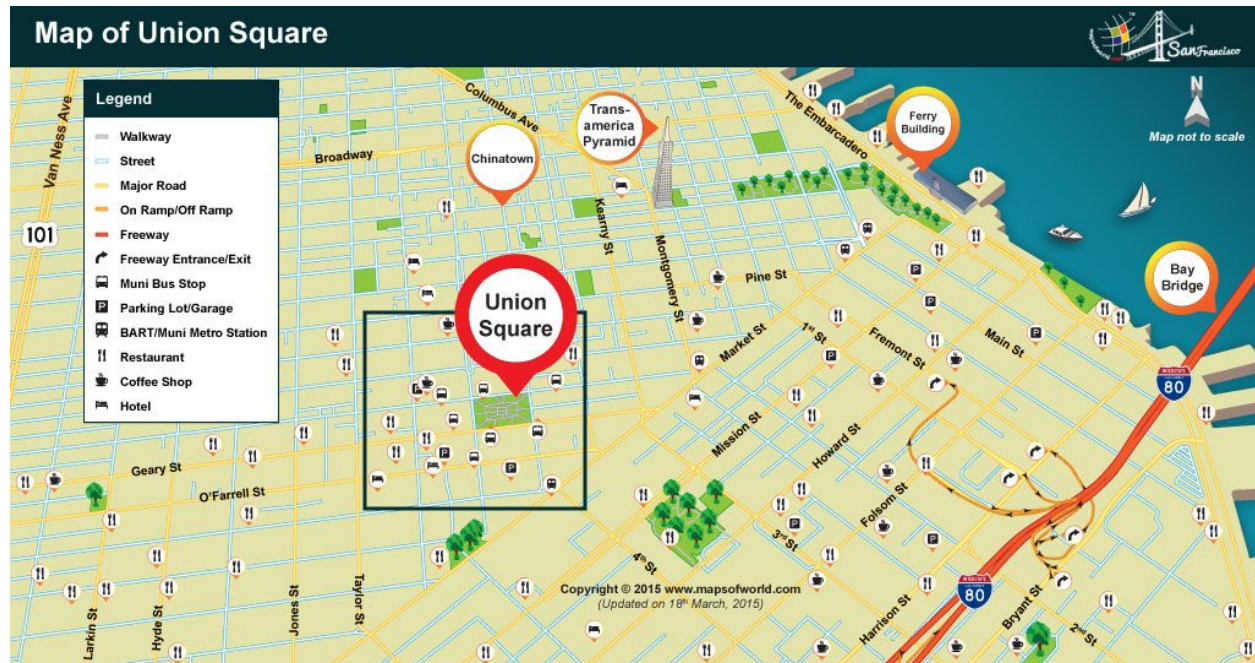
Map of San Francisco with Union Square highlighted[47]

While named after its most prominent feature, the actual Square, the Union Square neighborhood is marked by its high concentration of hotels, luxury and boutique retail shopping, and its identity as a popular tourist destination. Located between the financial district and the Tenderloin, Union Square mediates between the wealthiest and the poorest in the city. As the name infers, the financial district serves as the central business district in San Francisco and is largely made up of corporate headquarters, law firms, insurance companies, banks, and other financial institutions. The Tenderloin however is considered one of the poorest areas of the city, with a much higher population density than average, and the largest collection of the city's homeless services such as shelters and soup kitchens. Situated between these two poles, Union Square attracts a mixed crowd of office workers on lunch breaks, tourists shuttled from

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[47] "Union Square Map," *MapsOfWorld.com*, Compare Infobase Ltd., 19 March 2015, Web.

tour bus to store and back, and homeless and low income city residents passing through. Because of its location in between these distinct neighborhoods and public identities, Union Square is the perfect site to view the working of neoliberal redevelopment in San Francisco. Here, we can see the ways public space has been retrofitted through neoliberalization, and its impact on how public space and homelessness are envisioned and managed.

NEOLIBERAL CONTEXT & THE POWER OF CITY-MAKING

The globalized neoliberal restructuring of the economy that began in the U.S. in the 1980s has exacerbated the commodification of space under capitalism, as practices of market-making and privatization have become prominent in urban spaces. Neoliberal political and economic entrenchment is fundamentally a "market driven socio-spatial transformation,"[48] whereby as Setha Low and Neil Smith explain, "the control of public space is a central strategy." [49] The policies and practices of Reagan and similar political figures like government downsizing, austerity financing, and public service retrenchment make up what Jamie Peck and Adam Tickell identify as "roll back" neoliberalism.[50] "Roll-back" neoliberalism is characterized by deregulation and reactionary political maneuvers that defended and extended spaces of market rule through the destruction and discrediting of Keynesian-welfarist institutions.[51]

However, concurrent with the active destruction and de-legitimization of "roll back" neoliberalism, was the "purposeful construction and consolidation of neoliberalized state forms, modes of governance, and regulatory relations."[52] Neil Brenner and Nik Theodore point out that while neoliberalism "aspires to create a 'utopia' of free markets liberated from all forms of state

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[48] Neil Brenner and Nik Theodore, "Cities and the Geographies of 'Actually Existing Neoliberalism,'" *Antipode* 34.3 (June 2002): 350.
[49] Setha Low and Neil Smith, *The Politics of Public Space* (New York: Routledge, 2006),15.
[50] Jamie Peck and Adam Tickell, "Neoliberalizing Space," *Antipode* 34.3 (June 2002): 380-404.
[51] This occurred through actions like the liberalization of credit, supply-side economic restructuring, confrontation with labor unions, and the privatization of public services.
[52] Peck and Tickell, "Neoliberalizing Space," 384.

interference, it has in practice entailed a dramatic intensification of coercive, disciplinary forms

of state intervention in order to impose market rule in all aspects of social life."[53] While

rhetorically anti-statist, neoliberalism necessitates state involvement in processes and strategies

of active market construction and commodification. One such process is city-making. This thesis

does not document the establishment of neoliberal economic policies in San Francisco. Instead

it focuses on part of neoliberalization: the transformation of the built environment. I do not

analyze the restructuring of the welfare state, changes to the housing market, public finance

retrenchment, or a number of other neoliberal processes that have occurred to different degrees

in San Francisco. Instead, I examine neoliberal planning and spatial order enforcement in order

to understand the transformation of the built environment and its impact on and mobilization of a

particular form of homeless management.

Here, Brenner, Peck, and Theodore's concept of "variegated neoliberalization" has been

essential to my rendering of neoliberalism. By centering variegation, I recognize

neoliberalization as an uneven, impure, contradictory, and incomplete process that is dependent

on the previous institutional landscape and particularity of different spaces.[54] The creative

aspect of neoliberalism referenced above necessitates a "layering process," whereby

neoliberalism's market-oriented regulatory forms develop unevenly across places, territories,

and scales.[55] This means that there is no "fully-formed" state of neoliberalism as might be

inferred when discussing "roll-back" practice.[56]

Aihwa Ong expands on this incompleteness explaining that neoliberalism is not a

structure or culture but "mobile calculative techniques of governing" that can be translated

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[53] Brenner and Theodore, "Cities and Geographies," 352.
[54] Neil Brenner, Jamie Peck, and Nik Theodore, "Variegated Neoliberalization: Geographies, Modalities, Pathways," *Global Networks 10.2* (2010): 182-222. They call for "positioning the problematic of variegation."
[55] Ibid., 190.
[56] Ibid., 208-216. Brenner, Theodore, and Peck extend this analysis into a structural critique writing, "Moreover, the experimental modes of governance that have proliferated under neoliberalism… generally reflect the reality that 'market rule' is less concerned with the imposition of a singular regulatory template, and much more about learning by doing (and failing) within an evolving framework of market-oriented reform parameters and strategic objectives."

across space and time.[57] Neoliberal practices are actively created and they selectively

appropriate and target certain aspects of the socio-political landscape.[58] Accordingly, Ong views

the state not as a geographically-bounded political singularity, but an "ever-shifting assemblage

of planning, operations, and tactics increasingly informed by neoliberal reason."[59] This malleable

logic of neoliberalism therefore can be employed by a variety of non-state actors through

"techniques of governing" that manifest in "diverse and run-of-the-mill activities that exercise

political power beyond the state."[60]

　　　　The following analysis and its focus on city-making studies specifically the renovation,

privatization, and rearticulation of control of public space in San Francisco. In noting this, I seek

to make clear that there has been and will continue to be push-back against neoliberalization,

as well as different manifestations of neoliberalization throughout the city.[61] The Union Square

neighborhood is a site of extreme privatization and spectacularization that is particular within

San Francisco, but these processes reverberate through the city in discourse and

understanding of the role of the state and private interests. My attention to spatial governance

therefore prompted an analysis cognizant of the complexity of neoliberalization, the distinct

identity of Union Square, and the particular roles of multiple non-state actors.

　　　　Reconstructing Public Space Control: The 1985 Downtown Plan

　　　　In San Francisco, the 1985 Downtown Plan ingrained in city planning and spatial thought

the conception of "growth" as public good and "private stewardship"[62] as the means of achieving

that growth. With objectives such as "maintain and improve San Francisco's position as a prime

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[57] Aihwa Ong, *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty* (Durham: Duke University Press, 2006), 13.

[58] Brenner, Theodore, and Peck, "Variegated Neoliberalization," 213.

[59] Ong, *Neoliberalism as Exception*, 99.

[60] Ibid., 100.

[61] For example, San Francisco has some of the toughest rent control policies in the US. See Mark Uh, "A Tale of Two Rent-Controlled Cities: New York City and San Francisco," *Trulia*, Trulia Inc, 20 Aug. 2015.

[62] Sharon Zukin, *Naked City: Death and Life of Authentic Urban Places* (Oxford: Oxford University Press, 2010), 30.

location for financial, administrative, corporate, and professional activity," and "enhance San

Francisco's role as a tourist and visitor center," the downtown plan targeted the attraction of

both global corporations and consumers through tourism, conventions, the arts, entertainment,

sports, medical research, and multimedia operations.[63] The 1985 Plan sought to transform San

Francisco into a spectacularized entertainment-environment that commodified cultural forms

and experiences as a means of ensuring marketability and competition.[64]

The Downtown Plan was initially called for to balance economic development with civic

goals and city identity.[65] After being lauded by architecture critics as a vital source of

postmodern pedestrian-minded urban design, the Plan was portrayed by pro-growth forces and

local government as a fair settlement between preservationists and business interests.[66]

However, this opinion wasn't shared by anti-growth advocates and many of the people that

would be displaced as a result of the Plan.[67] The Plan, after all, served not to limit growth, but

instead to shift downtown's site of expansion.[68] It did so by limiting building size within the then

central business district (CBD), while simultaneously making way for the proliferation of the CBD

into the area South of Market street. Chester Hartman explains this strategy writing, "The South

of Market area offered hundreds of acres of flat land with low-density use, low land prices, and,

to the corporate eye, expendable people and businesses."[69] This group of expendable people

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[63] San Francisco Planning Department, "Downtown Area Plan," *General Plan* (1985), DTN.OFS.2 & DTN.HS.4.
[64] In "Political Economy of Public Space," *The Politics of Public Space*, Ed. Setha Low and Neil Smith (New York Routledge, 2006), 28, David Harvey names this process "governance by spectacle," wherein social control is orchestrated through the commodity fetishism of culture and events. Also, in Paul Goldberger, "The Rise of the Private City," *Breaking Away: The Future of Cities*, ed. Julia Vitullo-Martin (New York: Twentieth Century Fund Press, 1996), Goldberger he further explains that "the city grew up as a marketplace, but it flourished also as a stimulating entertaining environment."
[65] San Francisco Planning Department, "Downtown Plan: Annual Monitoring Report" (July 2015): 1.
[66] Dean Macris and George Williams, "San Francisco's Downtown Plan: Landmark Guidelines Shape City's Growth," *Urbanist*, SPUR (August 1999).
[67] For more information on counter-organizing see, Chester Hartman, *City for Sale: The Transformation of San Francisco*, 2nd Edition ed. Sarah Carnochan (Berkeley: University of California Press, 2002).
[68] Ibid.
[69] Ibid., 8.

and businesses was a concentration of single men who worked as casual laborers, and resided in hotels.[70]

Additionally, the recently completed Yerba Buena and Moscone Convention centers were located in the South of Market area (now called SOMA), and with its establishment SOMA was recast as a potential site of booming convention and tourist industry that the 1985 Plan sought to orient urban planning towards. SOMA has also since then been filled with another industry: tech. While in 1985 urban planners were not yet necessarily working to attract the tech industry, the resident displacement and reconstruction of SOMA provided the city with the office space desired by start-ups beginning in the 1990s. Once the 1985 Plan "made room" for industry, local governance worked to attract any corporate and professional activity deemed profitable.

M. Christine Boyer describes this phenomenon of urban marketing as a dialectic between industry and city identity. She writes, "...marketing a city's image works both ways: industries can also enhance their products or services by association with a positive image of a city. Whether it is the city or the product that is for sale, surplus capital is drawn away from production in order to create consumer demand through the art of selling."[71] The "art of selling" was revamped through the 1985 Downtown Plan as the emphasis on business and tourism attraction led to the expansion or creation of different city-wide tourism groups such as the San Francisco Travel Association, Chamber of Commerce, Center for Economic Development, and the Convention & Visitors Bureau. Together these groups produce a sellable image of San Francisco that then reflects and is reflected by the businesses within the city.[72]

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[70] Brian Godfrey, "Urban Development and Redevelopment in San Francisco," *Geographical Review 8*7.3 (July 1997): 323.
[71] M. Christine Boyer, "The City of Illusion: New York's Public Places," *The Restless Urban Landscape* Ed. Paul Knox (New Jersey: Prentice Hall, 1993), 125.
[72] This image selling also works to attract tech industry and render San Francisco a "techie" city.

Major corporations, financial institutions, hotels, the Convention & Visitors Bureau, City Hall, the major labor unions, and local media outlets collectively sought out, advocated for, and ultimately created a self-propagating system reliant on development for a speculative corporate or tourist consumer.[73] In SOMA, after the convention center was built, more high-end hotels for convention visitors were developed. Next shopping facilities were constructed to occupy the time of the hotel visitors, and later parking garages to attract suburban shoppers. The businesses, political figures, labor representatives and journalists behind the development of these megastructures and subsequent enterprises make up what John Logan and Harvey Molotch identify as the "growth machine," a "multifaceted matrix of important social institutions" pushing the city to compete within a globalized marketplace where capital investment and business interest must be captured.[74] This "growth machine" cast this process as natural and necessary as these redevelopment "needs" became stacked upon one another, removing the possibility of any other vision of the downtown area. San Francisco industry was therefore dependent on a particular transformation of the downtown built environment, that in turn legitimized the industry itself. The emphasis on economic "growth" centered in the Plan equated private interests with public welfare, therein reorienting the purpose of local government and facilitating the rise of privatization.[75]

This solidification of private stewardship was also augmented through the vision of public space management prominent in the 1985 Plan. The Plan has an objective titled "provide quality open space in sufficient quantity and variety to meet the needs of downtown workers, residents, and visitors."[76] While this recognition of the value of public space is substantial, it then

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[73] In *City for Sale*, Hartman goes in depth into how these actors advocated for city planning and legislation that would allow for tourist-industry based redevelopment.

[74] Harvey Molotch and John Logan, *Urban Fortunes: The Political Economy of Place* (Berkeley: University of California Press, 1987), 58.

[75] In David Harvey, "From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism," *Geografiska Annaler*, 71.1 (1989), Harvey identifies this as a process of "entrepreneurialism."

[76] San Francisco Planning Department, "Downtown Area Plan," DTN.OSP.9.

purposefully calls for the engagement of public-*private* partnership to do so by creating the first

requirements downtown for developers regarding the construction of accessible open space.[77]

These came to be known as privately-owned public open spaces (POPOS).[78] While in theory

this could be a great application of municipal planning power to implement a public good paid

for by businesses, in actuality it sanctioned local government to distance itself from the

obligation to provide public space and perpetuated a different role of private interests. This set

in motion the maintenance of public spaces by private interests that has become so prevalent in

the past 30 years in San Francisco under what Paul Goldberger calls the "private urban

paradigm."[79]

The privatization of public space engendered by the Downtown Plan was dependent on

a discursive shift that emphasized aesthetic order, whereby the aesthetic development of a

"business climate," and distinctive "urban imagery" was envisioned as crucial to ensuring

competitiveness and profit.[80] Property owners became increasingly able to commodify the

spaces their properties surrounded by engaging in a process of placemaking through the

structural redesign of neighborhoods, increasing security and regulation of public behavior, and

destination marketing to attract the consumer visitor. Aesthetic judgement was explicitly linked

to profitability and highly bound to normative notions of order and proper decorum.

Public-private partnership is increasingly the manner in which this aesthetic judgement is made

and enforced. This urban quest for economic viability remade the built environment into a

purchasable, controlled "public" for capital gain. The 1985 plan is still in effect today even after

repeated calls for an update.[81]

Displacement

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[77] Ibid.

[78] San Francisco Planning Department, "Downtown Plan: Annual Monitoring Report."

[79] Goldberger "The Rise of the Private City," 142.

[80] Harvey writes about this in "From Managerialism to Entrepreneurialism..

[81] See "Rethinking Downtown: San Francisco's Downtown Plan at 30," *Livable City*, Livable City, 2 Oct. 2015, Web.

The downtown redevelopment required destruction of the pre-existing buildings and

communities to establish this area as an "urban fortress,"[82] insulated and protected from the

threat of urban decay. This socio-spatial segregation and destruction augmented the seemingly

self-propagating transformation of space described above. The primary tool for doing so

downtown was the demolition of Single Resident Occupancy hotels (SROs). The "growth

machine" that led the way for the 1985 Downtown Plan also called for the large-scale clearance

of the South of Market Area (SOMA). Prior to the clearance, in the late 1960s, 91% of the

households in SOMA were single and 97% of single people and 41% of families lived in

residential hotels.[83] While SOMA in particular had a high population of hotel residents, San

Francisco has historically been home to SRO and hotel living, aptly named "hotel city" in the

early 20th century.[84] As historian Paul Groth explains, between 1910 and 1980, there remained

a ratio of roughly one hotel room for every 10 residents of the city.[85] In 1980, San Francisco's

permanent hotel residents numbered three times the population in public housing, and

permanent residents occupied 27,000 hotel homes, or 10% of the city's total housing units.[86]

This number would soon be decimated however, as redevelopment prompted site-specific mass

eviction and forced vacation through harassment, selective development of freeways and

parking garages, and high-end condominium conversions.[87]

A major flaw in the 1985 Downtown Plan was the fact that it failed to recognize the

housing needs that would be created by redevelopment, especially when it came to SRO

destruction. Little affordable housing was included in the plan to replace the lost residential

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[82] Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (New York: Vintage Books, 1992), 229.
[83] Paul Groth, *Living Downtown: The History of Residential Hotels in the United States* (Berkeley: University of California Press, 1994).
[84] "History of S.R.O. Residential Hotels in San Francisco," *Central City SRO Collaborative*, Central City SRO Collaborative, n.d.
[85] Groth, *Living Downtown*, 19.
[86] Ibid., 1-2.
[87] Hartman, *City for Sale*, 365-371.

hotels that had been used over the past 100 years as private-market subsidized housing.[88]

Overall, the plan failed to account for the housing and transportation needs that would be

created by the upcoming expansion of the workforce the plan produced.[89] Due to the stigma

associated with residential hotels,[90] a misconception of their value, the destruction of the 1989

Loma Prieta Earthquake, and the growth machine's desire to expand downtown, neighborhoods

with prominent SRO housing were targeted for demolition by the City and developers, and the

people from these neighborhoods displaced and at times left homeless. While causation is not

the subject of this thesis, it cannot be denied that one of the main causes of homelessness is

the loss of housing, a pertinent consideration when mass displacement and destruction are

supported through city planning.

The emphasis on growth as supreme, public-private partnership as the ideal form of

urban planning and governance, and the application of aesthetic order greatly influenced the

Union Square Neighborhood. The actions of the Union Square Business Improvement District

(USBID) are a recent articulation and enforcement of the logic set forth through the 1985

Downtown Plan. In the Plan, Union Square is described as "one of the strongest downtown

retail districts in the country" and comparable to Fifth Avenue in New York City.[91] Setting as a

goal the maintenance and improvement of this area for retail trade, the Union Square

neighborhood became a "destination" that the city and the businesses within it could recreate,

market, and police through public-private placemaking.

REDESIGNING THE SQUARE

The Union Square has been called the "urban room" of downtown[92] and the "heart of

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[88] "History of S.R.O. Residential Hotels in San Francisco."
[89] Hartman, *City for Sale*, 298.
[90] See Groth's *Living Downtown*.
[91] San Francisco Planning Department, "Downtown Area Plan," DTN.RS.
[92] Gregory J. Nuno, "A History of Union Square," *The Argonaut* 4.1 (Summer 1993).

San Francisco."[93] It first became a public space in 1850 as a monument to the success of the Mexican-American war.[94] Throughout the more than 150 years since the establishment of the Square, it was often used by homeless people and squatters for public home-making in times of crisis. During the Gold Rush, the large influx of prospectors made use of Union Square for their encampments, and again the square became the temporary shelter for many after the 1906 earthquake.[95] In the 1980s, just like many urban parks across America, the Square began to be perceived as dangerous by local politicians and media outlets. Because of this supposed misuse of the square, the Union Square Association, San Francisco Planning and Urban Research Association (formerly known as San Francisco Planning and Urban *Revitalization* Association), Sidney Unobskey (a millionaire shopping center developer and retail promoter), the local chapter of the American Institute of Architects, San Francisco Beautiful, and the Union Square Macy's called for redesign in 1998 with the request of architectural submissions.[96] These groups believed that through redesign, the Square could be "taken back"[97] and used to promote consumption in the area. Linda Mjellem, a prominent business figure in the Union Square redevelopment (and later the USBID) stated, "We hope the new square will be more actively used by those who who want to relax and those who want to bring entertainment."[98] This emphasis on relaxation and entertainment greatly shaped the redesign and who the renovated space was catered towards.

The design chosen was produced by architects April Philips and Michael Fotheringham. Their writings about this winning design articulate a vision of urban public space that insists the

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[93] Edward Epstein, "Remodel to Close Union Square / S.F.'s Prime Plaza to Be Prettied Up," *SFGate*, Hearst Communications, 27 Dec. 2000, Web.
[94] Nuno, "A History of Union Square."
[95] Ibid.
[96] Gerald D. Adams, "BAYLIFE 98. FUTURE," *SFGate*, Hearst Communications, 15 Mar. 1998, Web.
[97] Neil Smith *The New Urban Frontier: Gentrification and the Revanchist City* (London: Routledge, 1996). This process of "taking back" public space is well documented through Smith's concept of "revanchism."
[98] Epstein, "Remodel to Close Union Square."

free use of space must be balanced with security.[99] They contend that in order to achieve a

liberal, democratic ideal of public space, certain behavior needs to first be prevented.

Fotheringham writes, "observation of the Union Square site has yielded a surprising revelation:

our tolerance (or perhaps ignorance) of *bizarre misbehavior* in public places is undermining our

trust in the commons."[100] He goes on to name panhandling, dangerous skateboarding, graffiti,

vandalism, and public indecency as threats to the viability of public space in contemporary

urban life.[101] He condemns minor crimes as a gateway to urban chaos and envisions the

redesign as a means of overcoming the purported dystopian chaos of the former Square. As a

result, this "democratic public space" only permits certain behaviors and practices, and is

therefore built on exclusion.

The new design reworked the space so that it was now open from all sides. Moreover,

the landscaping was redone so as to remove large bushes and hedges where it was believed

homeless people camped out.[102] These modifications were influenced by Oscar Newman's

"defensible space" theory, popularized in the 1970s, which emphasizes opening up public

spaces to increase visibility and promote "cooperative" surveillance through which a population

can "know and control its own territory," so as to create "secure environments."[103] Additionally,

two cafés, a stage, stone steps, seating that prevents laying down, and folding chairs that could

be moved in and out each morning were introduced.[104]

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[99] April Philips and Michael Fotheringham, "Towards a More Perfect Union: Thoughts on Union Square," *Urbanist*, SPUR (March 2001).

[100] Ibid. Emphasis Added.

[101] Ibid.

[102] Epstein, "Remodel to Close Union Square."

[103] Oscar Newman, *Defensible Space: Crime Prevention Through Urban Design* (New York: Macmillan Publishing, 1972), 8-18.

[104] Kevin Fagan, "A Square Is Born/Face-lift at S.F.'s Most Historic Plaza Has Everything Feeling like Good Old Days," *SFGate*, Hearst, 26 July 2002, Web.
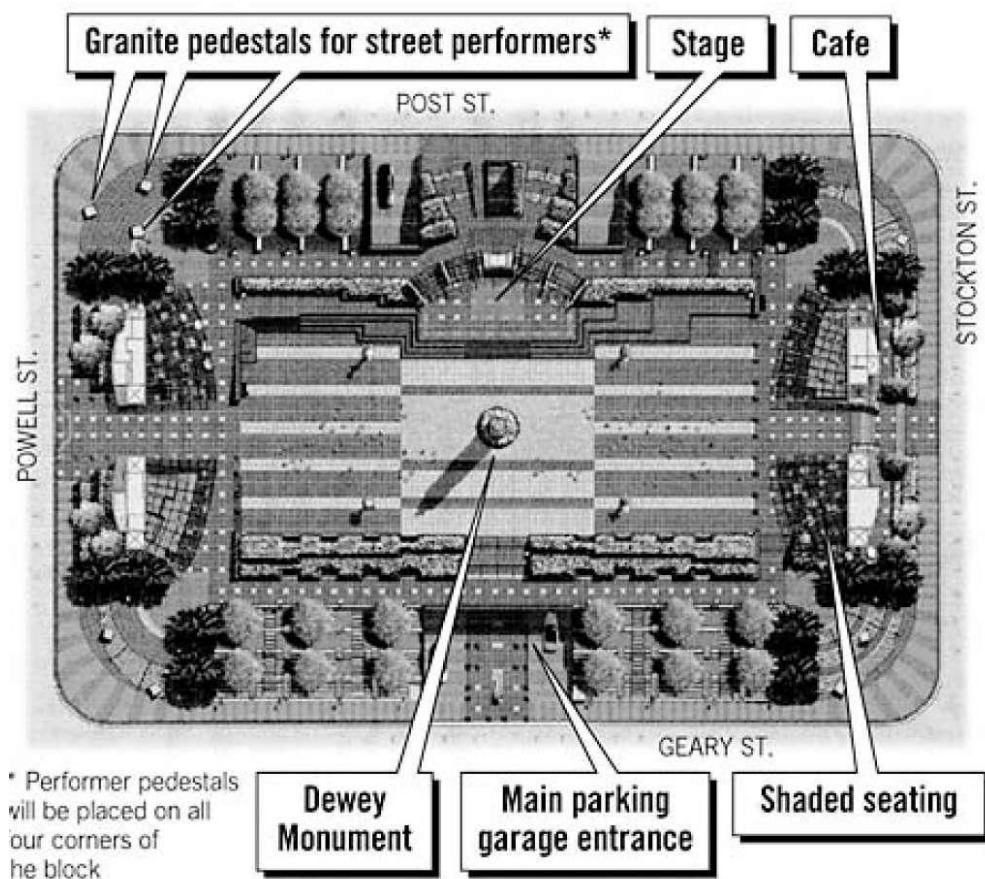
Phillips & Fotheringham's Design[105]

The choice of materials and movability for seating are forms of subtly "hostile" architecture and "unpleasant design"[106] that is meant to guide behavior and use. As seen in the images below, this purposeful design serves as a microtechnology of control that prevents "undesirable" behavior such as sleeping through intrusively placed armrests, harsh shapes, and removable furniture.

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[105] Fagan, "A Square Is Born."
[106] Gordan Savicic and Selena Savic, *Unpleasant Design* (Belgrade: G.L.O.R.I.A. 2016).

Union Square bench with obtrusive arm rests and harsh shape.

Removable seating locked together.

The purpose of the redesign was to enforce a particular code of conduct as a means of

reclaiming the Square. Creating a physical environment that prevents certain behaviors and

promotes surveillance would do just that.

Threats of imminent crisis and narratives of the "narrow escape from urban decay," as

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107 Photo taken by author in January 2017.
108 Photo taken by author in January 2017.

Sharon Zukin suggests, have been utilized to reinvent notions of civility and order in public spaces under neoliberalism.[109] By playing on the fear and anxiety urban residents and visitors feel regarding the fragility of social order (whether real or intentionally produced by developers), Philips and Fotheringham and their financiers put forth a design that further privatized public space as rule conformance mobilized notions of "civility" that are ultimately bound to class and race-based ideals. Civility is discursively contrasted with supposed criminality and chaos and serves as a tool to uphold a racialized middle-class sense of decorum. This application of civility for the sake of privatization prompts a process of public acceptance of private power and control over space in the name of social order and urban revitalization.[110]

The Square's redesign mobilized these same emotions in order to criminalize particular practices in public space. As Fotheringham explains:

> Good design must reward the best behavior and discourage the worst. The successful design process brings into focus the essential needs and comforts of the *respectful public as prime client*. Long-term viability of public parks and plazas will require a new form of *sustenance oversight*.[111]

The design worked to dictate what type of behavior is possible and consequently recreated who the desirable "public" was that will use this space. The "respectful public" was called on in 2002 when the square reopened after 18-months of construction as the pro-development mayor, Willie Brown, implored the crowd there for the unveiling to "use it; it is your square."[112] Brown's statement illustrates that the Square was designed with a specific class of users in mind, those middle-class consumers, especially tourists who had previously feared urban public space and could now "restore" order and prosperity to Union Square. The area was reconfigured as a

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[109] Zukin, *Naked City*, 139.
[110] Ibid., 158. Zukin discusses identifies outrage and anxiety as "cultural resources" that support redevelopment.
[111] Philips and Fotheringham, "Towards a More Perfect Union." Emphasis Added.
[112] Fagan, "A Square Is Born."

pseudo-public[113] space, engineered by private interests for the sake of consumption, protected

from images of poverty, social strife, and democratic contradiction, and therefore not truly public.

As reporter Kevin Fagan states:

Here and there among venerable hotels like the Westin St. Francis and retail titans like Neiman Marcus are once unheard-of empty storefronts, and managers and city planners alike are betting that will change if Union Square becomes a *hot draw again for tourists and lunchtime loungers -- instead of a hostile land of soggy sleeping bags.*[114]

This figurative reduction of homeless people to "soggy sleeping bags" was the popular

sentiment underlying the push for the redesign. While homeless people do still panhandle in the

Square and in the past 15 years drug deals and pickpocketings have likely taken place, through

the redesign, this famous source of "public" space only allows for certain uses by certain users.

Public space is a negotiation and practice, not some pure entity that is preordained to be public

and only now being challenged through neoliberal placemaking. But privatization empowers

business interests to dominate the negotiation and shape their "public." After all, if a homeless

person literally cannot sleep on a bench in the Square because of its design, then their use of

the space is diminished. This is done in the name of enforcing civility and order, two things that

homeless people are purported to threaten simply through their occupation of space.

While under capitalism property owners have always had the goal of increasing

exchange value by creating spaces for capital development, under neoliberalism they actively

modify *use value* by reordering and transforming public spaces so as to exclude those with

contrasting visions.[115] This redesign called for and carried out largely by private business

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[113] Different applications of "pseudo-public" space have occurred throughout writings about public space and privatization. My use of this term is derived primarily from Jon Goss's idea of "pseudoplace" in "The 'Magic of the Mall': An Analysis of Form, Function, and Meaning in the contemporary Retail Built Environment," *Annals of the Association of American Geographers* 83.1 (1993), and Don Mitchell's discussion of contemporary shopping mall in *The Right to the City*, 138-139.

[114] Fagan, "A Square Is Born." Emphasis Added.

[115] In *Urban Fortunes*, Molotch and Logan argue that in the capitalist system property owners will always seek greater exchange values of their property above all else. Because of this, capitalism is systemically tethered to "value free development," or "the notion that free markets alone should determine land use." Property owners reproduce capitalism through the increasingly flexible appropriation, employment, and destruction of space.

interests, inscribed a certain use value into the built environment so as to bolster a particular image of the Square and the surrounding retail environment. This Square's renovation therefore was a process of transforming use value so as to produce greater profitability.

THE UNION SQUARE BUSINESS IMPROVEMENT DISTRICT

Before the redesign was completed, the Union Square Association, which pushed for the redevelopment of the Square, became the Union Square Business Improvement District (USBID). The USBID was officially established in 1999 and was the first business improvement district in the city of San Francisco.[116] The USBID fundamentally relied on the structural modification of the Square so as to "revitalize" the area as a whole and "reinforce Union Square's status as an international destination with an attractive, activated, well designed and managed public realm."[117] It was created by "a group of concerned property owners and merchants to improve the cleanliness, safety and economic vitality of the Union Square area."[118] The USBID corporation is a nonprofit that manages and provides services including cleaning and safety measures, beautification, policy advocacy, and marketing through self-assessed taxes on properties within the district.[119] Together these services "enhance the *visitor experience* and *business environment*, making Union Square the #1 destination in the world."[120] It is now the largest BID in the city and covers approximately 27 blocks radiating out from the actual square.[121]

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[116] "Vision & Mission," *Visit Union Square SF*, Union Square, n.d., Web.
[117] Union Square Business Improvement District, "Strategic Plan 2016," Moore Lacofano Goltsman Inc. (2016): 9.
[118] Karin Flood and Linda Mjellem, Union Square Business Improvement District Steering Committee and Board, "Greater Union Square Business Improvement District Management Plan" (May 2009), 1-29.
[119] Ibid., 4.
[120] "Vision & Mission," *Visit Union Square SF*. Emphasis Added.
[121] From here on out, I will refer to the USBID with the pronouns they/theirs to highlight the roles of the property-owner actors that compose the USBID.

GREATER
UNION SQUARE
BID MAP
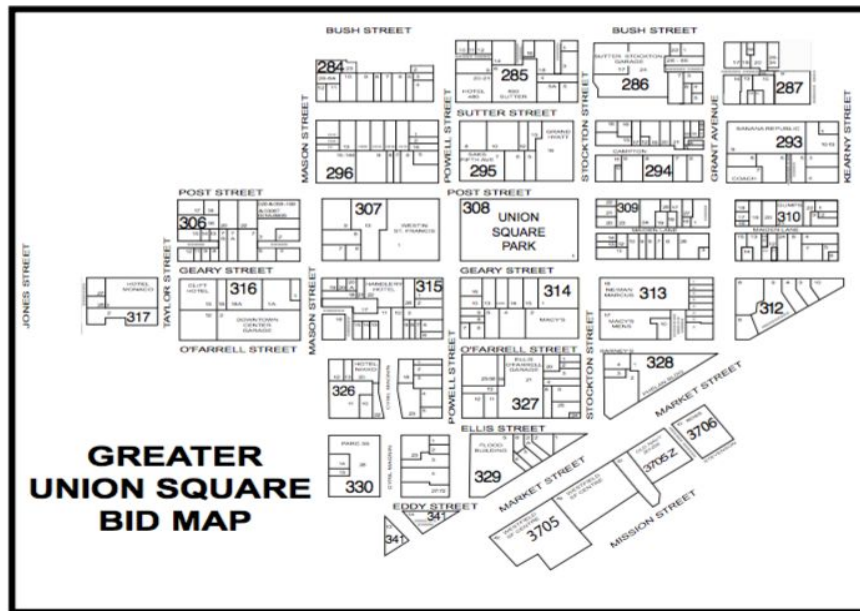
122

The USBID continue to modify the built environment by reordering and transforming

public space through both the marketing of place to attract a consumer visitor and increased

surveillance, policing, and regulation of behavior. The BID envisions these actions collectively

as a process of "activation" of public space.[123] Through their "Public Realm Action Plan," they

"activate Union Square's underutilized sidewalks, streets, alleys, and public spaces to create

new amenities, activities, and revenues streams."[124] At the heart of their efforts is the

construction and management of the pseudo-public space described above.

The USBID believe their services can "supplement and complement those provided by

local government."[125] They frame their role as a necessary response to declining municipal

budgets and services, wherein they see property owners as actors who "create a truly positive

and unique experience for visitors" by investing in improvement "beyond what the City

provides."[126] Throughout their literature, they repeatedly invoke the 2008 recession in order to

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[122] Flood and Mjellem,"Greater Union Square Business Improvement District Management Plan," 10.
[123] Union Square Business Improvement District, "Strategic Plan 2016."
[124] Ibid., 24.
[125] Flood and Mjellem, "Greater Union Square Business Improvement District Management Plan," 8.
[126] Ibid., 8.

bolster their call for the necessity of creating a "unique business environment" that can withstand downturns.[127] The entrepreneurial, growth-minded model of neoliberal urban governance laid out in the Downtown Plan is realized through the USBID as their services of privatization are rendered a solution to government divestment and failure, and a powerful source for overcoming economic instability. The USBID can be understood as a reinterpretation of local governance wherein revitalization, economic growth, and a particular aesthetic ordering are made the productive tools for the supposed "public good."

Branding, Image development, and Marketing

Central to the USBID's reinvention of the needs of businesses as the needs of the "public," is what they identify as the "activation" of public space.[128] In their most recent strategic plan, the USBID explain the goal of this activation writing:

> USBID leadership, staff, and stakeholders developed a bold new vision for the Union Square District as the vibrant heart of San Francisco and an international destination where visitors come to enjoy exceptional retail experiences, luxury hotels, world-class cultural institutions, and *great public spaces found only in this City by the Bay*.[129]

In their attempt to achieve this image, the USBID rely on marketing to attract new businesses and uphold pre-existing retail consumption. Explaining this logic in their 2009 management plan they write, "implementing additional marketing and advocacy services in difficult times [*i.e.* global recession] is essential for encouraging visitors to come to Union Square to shop, dine, visit the theatre and stay overnight in a hotel."[130] They argue that by creating programs that will "enhance the district's image, appeal, and visibility," they are "positioning the area most competitively."[131]

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[127] Ibid., 11.
[128] Union Square Business Improvement District, "Strategic Plan 2016."
[129] Ibid., 7. Emphasis Added.
[130] Flood, "Greater Union Square Business Improvement District Management Plan," 6.
[131] Ibid., 6-15.

The USBID repeatedly appeal to the "uniqueness" of San Francisco and Union Square, identifying the the cultural scene and supposed diversity as fundamental to the experience of the city.[132] Through the tagline "Only in Union Square,"[133] the USBID coopt the progressive image of San Francisco described in the introduction, in order to trademark their neighborhood. When I last visited Union Square in January 2017, their holiday ice-rink was still occupying much of the Square. Supported by Safeway and Alaska Airlines, the rink and entire park was full of beams proclaiming in big letters "Different Works.

Different Works beams in Union Square[134]

While "Different Works" is part of the advertising campaign for the merger of Alaska Airlines with Virgin, it resonates in San Francisco, the ostensible city of tolerance and progressivism. Over the course of the past nearly twenty years, Union Square's "unique identity" has been cultivated

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[132] Union Square Business Improvement District, "Strategic Plan 2016."
[133] Ibid., 38
[134] Photo by author January 2017.

through the production of a map and guide, the creation of special events, and promotional

campaigns. The BID engage in destination management that involves creating a Union Square

brand that highlights its unique identity as a means of competing with other commodified

neighborhoods and city experiences. This "activation" of space therefore is highly dependent on

a spectacularized pseudo-public space crafted and reproduced for visitors to consume.

USBID 2016 Map/Guide[135]

The map, event production, and promotional campaigns are all created with a certain

consumer in mind. This consumer is meant to not only consume the goods sold by these

businesses, but also consume the space and experience the Union Square neighborhood

provides through a spectacularized projection of urban culture. By targeting a specific

consumer-visitor populace, the USBID are defining who should be using the area and setting

parameters for public space occupation. While something like the guide shown above does not

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[135]"Maps + Parking + Transportation," *Visit Union Square SF*, Unions Square, n.d., Web.

force people to visit the places highlighted, it does push them to perceive those selected as the most desirable locales and therein further shape their use of the space.

Because of Union Square's proximity to the Tenderloin neighborhood, the USBID work diligently to prevent their visitors from venturing down the wrong street and seeing the poverty prevalent in San Francisco. Referred to as a prototypical "rabble zone" in John Irwin's *The Jail*, the Tenderloin is equated with a space of isolation where poor people are selectively shuttled by the police so as to be kept separate from the rest of the city in pursuit of the maintenance of order.[136] A "rabble zone" is exactly the type of place the USBID wishe to shield consumer-visitors from.[137] The USBID redirect attention towards more "palatable" activities free from poverty and dispossession. The neighborhood is redefined as the USBID's marketing strategies court a desirable "public," who will use the space according to their standards.

The spectacularized growth mindset projected and reified through the 1985 Downtown Plan and further through the creation of the USBID, prompted a form of suburbanizing urban public spaces as a means of producing an image of the city as full of culture, diversity, and experiences, but in a contained space where at least the illusion of safety is ensured. This restructuring of public space for consumption has been prominent in U.S. cities as a type of suburbanization of city centers has taken hold. Jon Goss recognizes the retail built environment of urban centers as "an object of value; that is, a private, instrumental space designed for the efficient circulation of commodities which is itself a commodity produced for profit."[138] Urban retail spaces like Union Square are reconstructed in order to imitate one of the most potent symbols of suburban living, the mall. While the USBID do not explicitly name a desire to

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[136] John Irwin, *The Jail: Managing the Underclass in American Society* (Berkeley: University of California Press, 1985.

[137] Moreover, as the next chapter will explain further, when those meant to reside in the "rabble zone" such as homeless people, enter the Union Square neighborhood, they are actively policed out of the pseudo-public space.

[138] Jon Goss, "The 'Magic of the Mall': An Analysis of Form, Function, and Meaning in the contemporary Retail Built Environment," *Annals of the Association of American Geographers* 83.1 (1993): 19.

transform public space into a suburban-style mall, through their destination management, they

rely on selective public design and programming, enhancing the pedestrian experience, and

ensuring a high degree of perceived safety, all of which works to construct a particular image

and pseudo-public space meant for consumption.[139] This reconstruction of the retail built

environment for a consumer desiring the safety and containment of a mall is what Zukin names

the "aesthetic code of new urban life" under neoliberalization.[140]

Regulation of Behavior, Bodies, and Space

The USBID engage in the "sustenance oversight" called for by Fotheringham to ensure

that the redesign of the Square really "rewards proper behavior and discourages the bad" and

that the aesthetic production and destination marketing bring forth the neighborhood they

envision.[141] In addition to its role in structural redesign and marketing, the USBID offer a number

of other services that are meant to enhance security, regulate public space, and ensure the area

remains attractive to capital investment and consumer visitors. These actions intend to "increase

the area's perceptions as a friendly, clean and exciting place for dining, shopping,

entertainment, and investing in business opportunities and properties."[142] They attempt to

improve "quality of life," increase "*visible* and effective safety," and produce an environment

where "citizens, visitors and merchants feel comfortable and secure."[143]

In order to do so, the USBID make use of a "zero-tolerance" platform that puts forward

notions of legality and deviancy linked to the aesthetic judgement of developers seeking capital

investment and profit and the racialized, class-based notion of public civility outlined above. This

platform is built on the strategy of former Mayor Frank Jordan's "Matrix" Program, wherein

"broken windows" theory was used to legitimize increased enforcement of minor crimes and

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[139] Union Square Business Improvement District, "Strategic Plan 2016."
[140] Zukin, *Naked City*, 238.
[141] Fotheringham, "Towards a More Perfect Union."
[142] Union Square Business Improvement District, "Strategic Plan 2016," 16.
[143] Ibid., 7-13. Emphasis Added.

make the criminalization of poverty public policy.[144] In 1982 George Kelling and James Wilson

published an essay in *The Atlantic* where they use "broken windows" as a metaphor for

"disorderly behavior."[145] They argue that broken windows indicate a lack of care about the space

that begets further more serious, criminal behavior. At the root of this theory is a focus on minor

visible signs of disarray and a fear that unchecked disorder feeds on itself, ultimately resulting in

chaos. Out of this theory arose a policing system bound to the enforcement of notions of civility

practiced by targeting all crime with a strong fist regardless of its actual impact. Kelling and

Wilson explicitly recognize the behavior of homeless people writing:

> The unchecked panhandler is, in effect, the first broken window…If the neighborhood
> cannot keep a bothersome panhandler from annoying the passers-by, the thief may
> reason it is even less likely to call the police and identify a mugger or to interfere if a
> mugging takes place.[146]

With this recognition of the "unchecked panhandler" as a symbol of disorder and further crime,

Kelling and Wilson pave the way for the forthcoming criminalization of homelessness, whereby

removal of homeless people from public spaces is seen as paramount to maintaining order and

the aesthetic illusions crafted in redevelopment.[147]

According to BID advocates, BIDs are created to take part in a form of "security

governance,"[148] whereby they are only successful when they provide a "return on investment"

and increase the supposed "quality of life" by bolstering this aesthetic appeal to safety.[149]

However, the manner in which quality of life is defined is extremely convoluted, as those who

appeal to this need for "quality" via enhanced policing are usually those seeking greater

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[144] Vitale, *City of Disorder*. While NYC Mayor Giuliani is often discussed as the progenitor of this policing, many other mayors including Mayor Jordan also implemented some of the same policies at that time or shortly thereafter.
[145] James Wilson and George Kelling, "Broken Windows: The Police and Neighborhood Safety," *Atlantic Monthly* (March) 29-38.
[146] Ibid., 29.
[147] This point will be built on thoroughly in the next chapter.
[148] In "Private Security and Urban Crime Mitigation: A Bid for BIDs," Vindevogel explains that BIDs strive to "eliminate all signs of *physical and behavioral disorders* to prevent crime and reassure the public."
[149] Seth Grossman, "Elements of Public-Private Partnership Management: Examining the Promise and Performance Criteria of Business Improvement Districts," *Journal of Town & City Management* 1.2 (February 2010): 148-163.

repression and isolation of the poor for the sake of urban growth and consumption within pseudo-public spaces. Accordingly, Don Mitchell writes, "The world promoted by the security experts will likely only create the *illusion* of order while at the same time implementing an urbanism that is as alienating as it is controlling."[150] The amorphous concept of public civility therefore has been mobilized through private security, surveillance, and policing carried out by BIDs, even though BIDs have not been qualitatively linked to any drop in violent crime.[151] There are two principal ways in which the Union Square BID attempts to realize this "security governance": the Ambassador program, and the security camera project.

The USBID Ambassadors, usually broken up into two groups, the Hospitality Ambassadors and the Safety Ambassadors, are basically tour guides that have memorized knowledge of local geography, area businesses, transportation systems, and other information deemed useful by the USBID.[152] They sport red uniforms and carry hand held GPS devices that they use to help people navigate the neighborhood, as they provide a "welcoming and informed presence."[153] The USBID praise them as the "eyes and ears" of the district and cites them with the role of promoting safety by deterring misdemeanor crimes through their presence and the fact that they have "hand held radios that enable them to report conditions or observations of criminal activity immediately through dispatch to the San Francisco Police Department (SFPD)."[154] In order to best perform this role, the ambassadors also receive extensive training about the "quality of life" (QOL) laws and public nuisance ordinances that dictate what type of behavior is permissible in public spaces, including the prohibition of drinking in public, permit violations, loitering, public urination and more. Many of which have become synonymous with the

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[150] Mitchell, *The Right to the City.*

[151] Robert J. Stokes, John MacDonald etc,. "The Privatization of Public Safety in Urban Neighborhoods:Do Business Improvement Districts Reduce Violent Crime Among Adolescents?" *Law and Society Review* 47.3 (2013): 621-652.

[152] Flood, "Greater Union Square Business Improvement District Management Plan," 13.

[153] Ibid., 13.

[154] Ibid., 13.

criminalization of homelessness that we will explore in depth in the next chapter. Additionally,

the USBID employ one SFPD "10B" officer[155] who receives a wage 1.5 times their original salary

to patrol Union Square and "cite and arrest suspects, when warranted."[156] This fundamentally

ties the USBID to the the Police Department, allowing the SFPD to better monitor the behavior

of the public through the ambassadors' surveillance and notification system. The private

cooptation of power over the public sphere directly results in greater punitive, securitized

governance, as those performing unwanted practices that connote a threat to normative social

order are expelled from the space by watchdog ambassadors united with local police officers.

Secondly, through their security camera project, the USBID further seek to enhance a

culture of surveillance that deters any supposed misuse of public space. By the end of 2016, the

USBID had 300 security cameras up and running in their district with the help of funding from a

Silicon Valley Community Foundation donor-advised fund for public safety.[157] While the footage

is open to anyone, it has mostly been used by the SFPD and District Attorney's Office to assist

with criminal investigations.[158] As Karin Flood, the director of the USBID stated in a local news

interview, "We are not watching you, but if you do something wrong, if you commit an illegal act,

the SFPD will come looking for you."[159] The "eyes and ears" of the ambassadors are therefore

bolstered by technological surveillance support that while most likely not watching your every

move, does further increase the likelihood of police presence and incarceration.

The USBID monitor practices within its sphere of consumption in order to selectively

remove those who do not fit the use value criteria they impose. If you are not a property or

business owner, and/or you are not consuming the urban environment as a tourist visitor, you

[155] 10B is the administrative code that permits special law enforcement services.
[156] Flood, "Greater Union Square Business Improvement District Management Plan," 13-14.
[157] Karin Flood and Stephen Brett, "Annual Report 2015-2016," Union Square Business Improvement District, 2016.
[158] Union Square Business Improvement District, "Strategic Plan 2016."
[159] Vince Cestone and Scott Rates, "Video: Holiday Shopping Security at San Francisco's Union Square," *KRON4.com*, Young Broadcasting of San Francisco, 20 Nov. 2015, Web.

have no tangible right to occupy the pseudo-public spaces the BID oversees and enforces. The aesthetic project enacted by this public-private partnership therefore is reinforced through policing. As a result, homeless people are expelled from the Union Square neighborhood.

CONCLUSION

City planners, officials, and developers deploying neoliberal economic and social ideals and practices rely on the control of public space to reproduce their legitimacy. The use of spectacle and destination management has become central to San Francisco's city plans, governance, and spatial ordering under a private urban paradigm that places business climate and potential consumers at the heart of its achievement of growth. The 1985 Downtown Plan and the revitalization efforts it supported and further normalized provoked the private management of public space that would come to dominate San Francisco 30 years later. This privatization prompted further commodification of the city as aesthetic placemaking led to the establishment of pseudo-public spaces like the Union Square. The Union Square neighborhood has accordingly been recreated for the sake of tourist consumption. But everyday this conception is challenged by the quotidian but non-normative practices of "undesirable" people. As a result, private businesses in the form of the USBID have taken it on themselves to police the boundaries of the space it has now coopted. This is done through structural redesign, marketing and image production, and policing and surveillance. All of which serve to reproduce private interests' control of public space under the guise of order and security. As we will see in the next chapter, this neoliberal city-making has fundamentally affected the way homelessness is addressed in San Francisco. Where image matters most, anyone that challenges it must be removed and San Francisco quality of life laws attempt to do just that.

Chapter 2: *Purifying Public Space: The Criminalization of Homelessness*

The last chapter documented the power of spatial modification and privatization through public-private partnerships in Union Square. I examined how private business interests take part in a process of neoliberal private stewardship through the construction of pseudo-public spaces. This chapter shows that this stewardship is not sovereign or deterministic. Working from the ideas of public space theorists, I conceptualize public space as a practice, and therefore malleable and constantly being made and remade. Social action, the production of law, and the development of space are intertwined and come together to structure the "public" spaces we create. The following section displays how the labor of the Union Square Business Improvement District (USBID) is re-enforced by local municipal law and policy on homelessness in order to reify a specific vision of pseudo-public spaces of controlled spectacle. This top-down restructuring and police enforcement is further strengthened through the quotidian surveillance practices of San Francisco residents and tourists. Homeless bodies actively contest the redefined urban landscape[160] and as a result, the USBID, municipal government and police, and tourists and residents alike promote systems of behavior policing in order to solidify the neoliberal aesthetic order by pushing against homeless people's occupation of public space.

SAN FRANCISCO'S "QUALITY OF LIFE"

As described in the previous chapter, the employment of "broken windows" policing strategies has increased attention to minor *visible* signs of disorder, highly contingent on the enforcement of norms and notions of civility. This call for increased policing arose out of the

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[160] Stephen Daniels, *Fields of vision: landscape imagery and national identity in England and the United States*, (Cambridge: Polity Press, 1993) and Don Mitchell, *The Right to the City* both use the term "landscape" to refer to how space and social relations are controlled by a propertied class seeking luxury and comfort without being bothered by the realities of everyday life that d may invoke feelings of disgust, contradiction, or guilt.

desire by urban residents to expunge themselves of the perceived disorder and economic decay

of the 1970s and 1980s, as well as the increased emphasis on visuality and aesthetic through

redevelopment campaigns. Here, the "unchecked panhandler" is rendered symbolic of disorder

and therein panhandling, and its linked identity category, homelessness, become actively

criminalized.[161] Out of this vision, private interests and municipal governments placed greater

emphasis on maintaining and erasing homeless people's supposed affront to visible order. Alex

Vitale names this phenomenon the "'quality of life' paradigm," that emerged "as a set of

concrete social control practices united by a political philosophy that explained the nature of

homelessness and disorder as one of personal responsibility and established punitive methods

for restoring social order and public civility."[162] Quality of life (QOL) laws include regulation

against actions such as drinking in public, walking dogs without a leash, littering, and vending

without a permit. While all of these laws do not inherently target homeless people, they are

disproportionately enforced against homeless people. The Coalition on Homelessness San

Francisco explains that these laws frequently "refer to the types of life-sustaining activities that

homeless people have no choice but to undertake in public."[163]

  While the term "quality of life" has never clearly been defined by the Police Department

or municipal government in San Francisco, the SFPD makes the connection between "quality of

life" and homelessness explicit on their website with a page titled "Quality of

Life/Homelessness." On this page they write, "Homelessness impacts the *quality of life* of those

visiting or living in San Francisco."[164] The intention of these laws is to prevent a certain class of

people, homeless people, from disturbing another, the housed. Accordingly, the SFPD enforces

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[161] Wilson and Kelling, "Broken Windows," 29.
[162] Vitale, *City of Disorder,* 1. "Quality of Life" was initially used by police and city government to refer to certain laws.
[163] Coalition on Homelessness San Francisco, "Punishing the Poorest," 34-35.
[164] San Francisco Police Department, "Quality of Life/Homelessness" in "Public Interaction with the Homeless" section, *SanFranciscoPolice*, City and County of San Francisco, n.d., Web.

a total of 36 QOL laws.[165] Since 1981 San Francisco has passed more local measures to criminalize sleeping, sitting, standing, camping, resting, and panhandling than any other city in the United States. They come in the form of penal, park, public works, and administrative codes, and are often enacted through ballot initiatives. Through these laws, homeless San Franciscans' survival is deemed undesirable and the right of the housed to not see homeless people comes to outweigh the needs of homeless people themselves. The following chart indicates these laws, as well as the type of code and categorization of crime.

Penal Code	Description of Violation	Infraction or Misdemeanor
120.2(d)(1) MPC	Aggressively soliciting of the public	Infraction or Misdemeanor (must warn)
120.2(d)(2) MPC	20 feet away from the ATM/Check cash	Infraction or Misdemeanor (must warn)
120.2(d)(3) MPC	Median/motor vehicle	Infraction or Misdemeanor (must warn)
120.2(d)(4) MPC	Muni or parking lot	Infraction or Misdemeanor (must warn)
122 (a)MPC	Aggressive pursuit	Misdemeanor
153(a) PC	Urinate or defecate in public	Infraction
168(b) MPC	Sit/Lie during 7:00 a.m. -11:00 p.m.	Infraction or Misdemeanor
168(d) MPC	Sit/Lie during 7:00 a.m. -11:00 p.m.	Warning
21 MPC	Drinking in Public	Infraction
22(a) MPC	Obstruct street or sidewalk	Infraction
23(a) MPC	22(a) within 24 hours	Misdemeanor
22520.5 CVC	Solicit near freeway ramp	Infraction
25(a) MPC	Trespass posted sign	Infraction
25620(a) BP	Possession of open container	Infraction
26(a) MPC	25(a) within 24 hours	Misdemeanor
290.011 (a) PC	Transient 290 to register (30 days)	Misdemeanor
3.02 Park Code	Signs to be obeyed	Infraction or Misdemeanor
3.10 Park Code	Peddling without a permit	Infraction or Misdemeanor

Penal Code	Description of Violation	Infraction or Misdemeanor
3.12 Park Code	Camping in park	Infraction or Misdemeanor
3.13 Park Code	Sleeping in park during 8:00 p.m. -8:00 a.m.	Infraction
3.21 Park Code	Hours of Operation	Infraction or Misdemeanor
33 MPC	Litter	Infraction
372 PC	Public Nuisance	Misdemeanor
374.3(a) PC	Unlawful dumping of waste	Infraction
4.10(a) Park Code	Consume alcohol in the park	Infraction or Misdemeanor
40a/b HC	Animal Nuisance	Infraction or Misdemeanor
41.15 HC	Dog License	Infraction or Misdemeanor
41.12a HC	Leash Law	Infraction or Misdemeanor
602(m) PC	Trespass	Misdemeanor
640(d)(3) PC	Urinate/defecate (transit)	Infraction
647(c) PC	Willful and malicious 22(a)	Misdemeanor
647(e) PC	Illegal Lodging	Misdemeanor
869 MPC	Peddling without a permit	Misdemeanor
647(f) PC	Drunk in Public	Misdemeanor
97(a) & (b) MPC	Vehicles for Human Habitation	Misdemeanor
1009.81 HC	Prohibiting Smoking in City Park and Recreational Areas	Infraction

San Francisco Quality of Life Laws[166]

A recent report published by University of California, Berkeley Law School,[167] identifies 23 of the above QOL laws as explicitly anti-homeless including: 10 codes that criminalize standing, sitting, and resting in public places,[168] six codes that criminalize sleeping, camping, and lodging in public places, including in vehicles,[169] and seven codes that criminalize begging

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[165] San Francisco Budget and Legislative Analyst's Office, "Policy Analysis Report: Homelessness and the Cost of Quality of Life Laws," (May 2016): 1-19.

[166] San Francisco Police Department as cited in Budget and Legislative Analyst's Office, "Policy Analysis Report, 4-5.

[167] University of California, Berkeley Law School, "California's New Vagrancy Laws: The Growing Enactment and Enforcement of Anti-Homeless Laws in the Golden State" (February 2015): 1-50.

[168] S.F., CAL., ADMIN. CODE § 80; S.F., CAL., PARK CODE § 3.21; S.F., CAL., POLICE CODE §§ 22(a), 23(a), 25(a)-(b), art. 2, §§ 121, 124.2, 168, art. 13, § 912; S.F., CAL., PUB. WORKS CODE art. 15, § 723;

[169] S.F., CAL., PARK CODE §§ 3.12-3.13; S.F., CAL., POLICE CODE art. 1.1 § 97; S.F., CAL., PORT CODE §§ 2.9-2.10; S.F., CAL., TRANS. CODE § 7.2.54

and panhandling.[170] With the recent passing of ballot initiative Proposition Q in November 2016, another code has been put in place banning encampments on city sidewalks and authorizing city officials to remove them 24 hours after offering shelter. This measure reifies anti-camping policy and preexisting codes, promoting further limitation on homeless people's claim to public space. As of April 2017, this means a total of 24 San Francisco municipal codes criminalize the quotidian practices of homeless people.

Denied the Right To Be Part 1: Property & Citizenship

As Don Mitchell eloquently espouses, together these anti-homeless codes work to "regulate space so as to eliminate homeless people, not homelessness."[171] The goal of the quality of life paradigm, and the anti-homeless laws in particular, is not to end homelessness, but rather to enforce a punitive system that reiterates a state of rightlessness for those without housing. Herein, property can be recognized as both a spatialized object, and as property scholar Nicholas Blomley identifies, a "bundle of relations."[172] Property is more than just the delineation of space in that it becomes the basis for most political claim-making within the liberal capitalist system.[173] Expanding on this, Jedediah Purdy envisions property as the first institution, after which all else followed.[174] While discussing its primacy, Purdy recognizes "the whole web of social institutions, including sovereignty, law, and organized religion, as the children of property."[175] As a result, from the founding of the United States, definitions of personhood and political membership became bound to property ownership.[176] Aziz Rana explains that because of their supposed excessive level of economic dependence, it was thought that the propertyless

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[170] S.F., CAL., ADMIN. CODE app. 22, 69; S.F., CAL., PARK CODE § 3.10; S.F., CAL., POLICE CODE art. 2 § 120-2, art. 13, §§ 864, 954, 955.
[171] Mitchell, *The Right to the City,* 167.
[172] Nicholas Blomley, *Unsettling the City: Urban Land and the Politics of Property* (New York: Routledge, 2004), 6.
[173] Ibid., 24.
[174] Jedediah Purdy, *The Meaning of Property: Freedom, Community, and the Legal Imagination* (New Haven: Yale University Press, 2010), 3.
[175] Ibid., 3.
[176] Purdy, *The Meaning of Property*, 32.

would not be able to act in accordance with the common good.[177] Instead, it was believed "the

landless would either follow the will of their masters or, more dangerously, comply with whoever

offered material resources or sought to manipulate their condition of servitude."[178] Because the

propertyless lacked control, their inclusion was considered a threat to democratic stability. This

ideological labor prompted a glorification of the individual property owner, and the binding of

personhood, as well as citizenship to property ownership.

Many scholars have argued that property is inherently a violent system, dependent on

visions of freedom that are bound to wealth and commodification.[179] This violence however is

particularly racialized in a way often under-accounted for. Lisa Marie Cacho and Cherryl Harris

both explain that property has been so linked to whiteness, that people of color are denied the

rights that come along with property and consequently a system of "racialized rightlessness" is

perpetuated.[180] If one cannot be fully recognized as a citizen without property ownership and

people of color's claims to private property and its contingent rights are refuted, then once again

white supremacist notions of citizenship are upheld.[181]

Homeless people come to embody the antithesis of this property system. They are the

epitome of non property-owners and therefore are excluded from the political community and in

turn denied citizenship and its rights. This exclusion is reproduced through the spectacularized

pseudo-public making that delineates what kind of "public" can exist. In being rejected from

public space because of their status as non-property owners, homeless people are removed

from the public sphere and subsequently further distanced from the political community. To be

without a public role means to lack the ability to appropriate space and make spatial claims to

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[177] Aziz Rana, *The Two Faces of American Freedom* (Cambridge: Harvard University Press, 2010).
[178] Ibid., 54.
[179] See Blomley, *Unsettling the City*; Rana, *The Two Faces of American Freedom;* C.B. Macpherson, *Property, mainstream and critical positions* (Toronto: University of Toronto Press, 1978).
[180] Cacho, *Social Death*; Harris, "Whiteness as Property."
[181] For example, see redlining and other strategies that legally prevented people of color from purchasing homes.

the city. The system of policing and spatial containment employed in San Francisco works to counteract homeless people's public roles and therefore their claim to citizenship and rights.

Denied the Right To Be Part 2: Disposability

In addition to the rejection of the citizenship rights of homeless people, QOL laws target the survival tactics and life-sustaining practices homeless people must engage in in order to live. As Jeremy Waldron explains, all actions have a spatial component because everything has to be done somewhere.[182] Consequently, in denying homeless people the right to perform these practices –sleeping, sitting, creating shelter– homeless people are effectively denied the right to be in public and subsequently *be* at all. Waldron explains this writing:

> The rules of property prohibit the homeless person from doing any of these acts in private, since there is no private place that he has a right to be. And the rules governing public places prohibit him from doing any of these acts in public, since that is how we have decided to regulate the use of public places. So what is the result? Since private places and public places between them exhaust all the places that there are, there is nowhere that these actions may be performed by the homeless person. And since freedom to perform a concrete action requires freedom to perform it at some place, it follows that the homeless person does not have the freedom to perform them.[183]

This system of policing is therefore tethered to a vision of homeless people as not worthy of life-sustaining actions and therefore of life at all.

Consequently, they are actively ejected and expelled from public space through a system of surveillance and containment. Henry Giroux identifies this process as the "politics of disposability," wherein neoliberalism "is now organized around the best way to remove or make invisible those individuals and groups who are either seen as a drain or stand in the way of market freedoms, free trade, consumerism, and the neoconservative dream of an American empire."[184] This marking of disposability relies on and further removes homeless people from the conception of citizens, as it facilitates spatial regulation and removal from "public." Declining the

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[182] Jeremy Waldron, "Homelessness and the Issue of Freedom," *UCLA Law Review,* 39.1 (1991): 295-324.
[183] Ibid., 315.
[184] Henry A. Giroux, "Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability," *College Literature* 33.3 (2006): 175.

space to perform life-sustaining actions relegates homeless people to what Mbembe calls "death-worlds," or a system of social management through which entire populations are "subjected to conditions of life conferring upon them the status of *living dead*."[185] In the end, this creates a system where the right of property owners not to see visible poverty and the contradictions of a private-property democracy, supersedes the recognition of homeless people' right to live.

QUALITY OF LIFE ENFORCEMENT: CLEARANCE & CITATIONS

Homeless people however, cannot just disappear as they must occupy space to survive. Accordingly they have become trapped in a cycle of surveillance, harassment, and forced relocation or incarceration. When QOL laws are violated, police officers typically have four options: warn, cite, clear, or arrest. Arrests are a relatively rare phenomenon however as most often the homeless person is requested to "move along."[186] QOL law enforcement relies on relocation and citation-giving as a means of ensuring that homeless people are pressured into the services the city does provide. On the SFPD's website they outline "Operation Outreach," a special unit dedicated to responding to QOL laws with the stated mission to "locate the homeless wherever they might be and to determine their needs."[187] SFPD's homeless "outreach" depicts police officers as social workers, trying to get these "sick" individuals to the help they need.[188] This vision was initiated in Mayor Frank Jordan's Matrix Program in 1993, which combined policing and social work, as well as punishment and treatment. Every iteration of criminalization and QOL enforcement since has conjured a familiar image of a homeless population that is just not aware of the services so nobly provided by the city. However, in reality

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[185] Achille Mbembe, "Necropolitics," Trans. Libby Meintjes, *Public Culture* 15.1 (2003): 40. Emphasis added.
[186] Coalition on Homelessness, "Punishing the Poorest."
[187] San Francisco Police Department, "Quality of Life/Homelessness."
[188] In, Teresa Gowan, *Hobos, Hustlers, and Backsliders: Homeless in San Francisco* (Minneapolis: University of Minnesota Press, 2010), she explains this as the remaking of police to be "the arbiters of the fine line between sickness and criminality," 245.

most of these interactions end in the displacement of homeless people because police officers are largely unequipped to offer real services.[189]

The Coalition on Homelessness argues "police officers often interact with homeless people through a warning or a citation, leaving the homeless person with no better alternative than another park, doorway, or city sidewalk."[190] This is because there is a disproportionate number of homeless people to shelter beds with a total of approximately 1,210 single adult shelter beds, but a homeless population of around 7,000.[191] As of March 2017, there were approximately 1,196 people on the online shelter wait list.[192] This means that "homeless outreach" becomes largely a punitive affair of "moving along" rather than actual support.

This relocation occurs on the continuum of "prime space" to "marginal space."[193] David Snow and Leon Anderson define prime space as a space used by housed individuals for residential, commercial, or recreational purposes, whereas marginal space is of little value and is "ceded both intentionally and unwittingly to the powerless and propertyless."[194] As the center of downtown San Francisco's retail built environment and a hot draw for tourist-consumers, Union Square is prime space. As a result, the homeless people who occupy the space are considered illegible bodies that are seemingly out of place at all times. Talmadge Wright identifies a "rigid logic of identity" that seeks to bolster normative visions of social order and belonging by actively denying, deflecting and repressing differences in such prime spaces.[195] Homeless people actively challenge normative order and conceptions of identity because they prove that the disciplined "housed body" is not the only way to be.[196] Homeless people enacting

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[189] Coalition on Homelessness, "Punishing the Poorest," 30.
[190] Ibid.
[191] Ibid.
[192] "Shelter Reservation Waitlist," *SF311.org*, City and County of San Francisco, 27 Mar. 2017.
[193] Snow and Anderson, *Down on their Luck.*
[194] Ibid., 103.
[195] Talmadge Wright, *Out of Place: Homeless Mobilizations Subcities, and Contested Landscapes* (Albany: State University of New York Press, 1997), 61.
[196] Ibid., 58.

their "private" lives in "public" are outside the norm and accordingly viewed as "objects to be controlled, not subjects in their own right."[197] SFPD enforces QOL laws as a means of removing homeless people from prime space, Union Square, and pushing them into marginal space, the Tenderloin. As described in the last chapter, the Tenderloin has been conceived of as a "rable zone," where services for the poor are concentrated and urban poverty is contained.[198]

This spatial regulation directly targets homeless people as it seeks to remove the visible signs of poverty and perceived threat to social order. However, spatial regulation is experienced unevenly according not only to class identity, but also race. According to a recent survey, 81% of Black homeless respondents and 84% of Latino, Native American and other non-Asian homeless respondents of color had been approached by police, while only 77% of White respondents and 69% of Asian respondents had.[199] Through the co-construction of property rights and whiteness, not only are Black, Latino, and Native American people rendered non-citizens, but they are subsequently more likely to be determined "out of place" in prime space. Criminalization disproportionately affects people of color because they are more likely to be targeted. Because homeless Black and Latino people experience more police interactions, they in turn have greater citation, arrest, and incarceration rates.[200] However, homeless Black men and Black trans women experienced the highest rates of arrest and incarceration.[201] Quality of life police management engenders a system of mass incarceration that perpetuates both poverty and racial inequality. According to Teresa Gowan, the first cities that employed large-scale quality of life campaigns were places where economic inequality is race-based.[202] San Francisco is very much implicated herein as Black people make up only 6% of the city's

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[197] Ibid., 63-72.
[198] Irwin, *The Jail*.
[199] Coalition on Homelessness, "Punishing the Poorest," 3.
[200] Ibid., 55.
[201] Ibid., 56.
[202] Gowan, *Hobos, Hustlers, and Backsliders,* 236.

population but 56% of people incarcerated in city jails identify as Black.[203] Moreover, 84% of

those in jail have not been convicted of a crime, but remain because they cannot afford bail.[204]

In addition to clearance or incarceration, this punitive enforcement greatly relies on

citations. Between October 2006 and March 2014, the SFPD issued 51,757 citations for "quality

of life crimes."[205] Approximately 22,000 of which were given for sitting, sleeping, or begging.[206]

**San Francisco Citations Issued by Offense and Code Type,
October 2006 – March 2014**

[207]
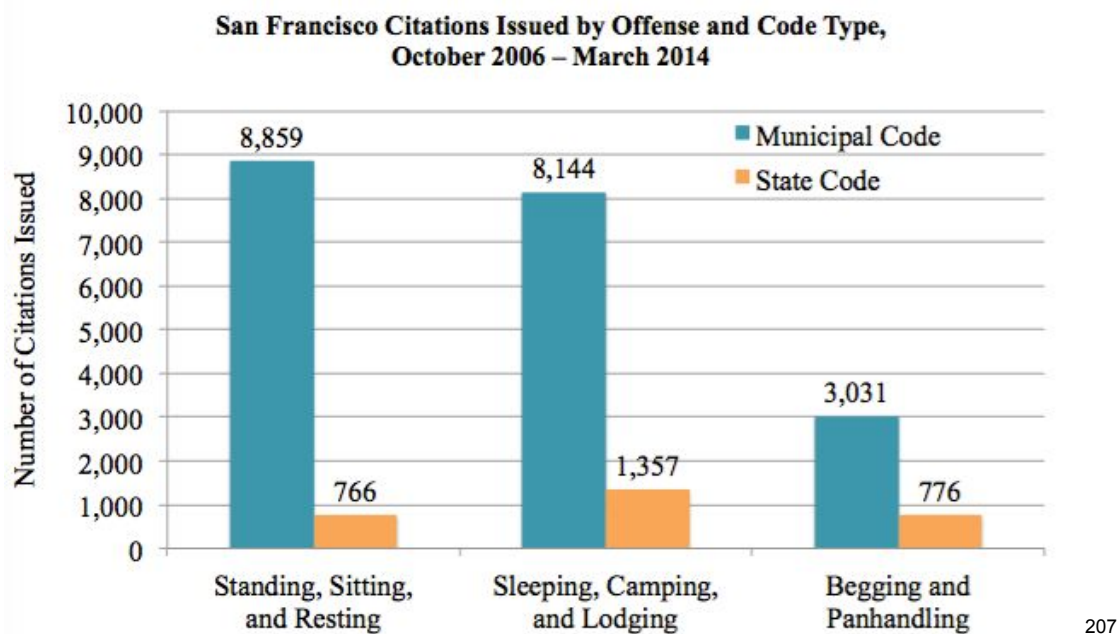
These citations involve fines that most homeless people cannot afford.[208] Unpaid fines in turn

result in the issuance of an arrest warrant, suspension of driver's license, and debt, all of which

negatively affect access to jobs, housing, and services. Citations do little to push people into

services as originally conceived of, and instead create barriers to obtaining the resources

homeless people need to escape homelessness: employment and housing. In 2016, San

Francisco's Budget and Legislative Analyst's Office released a report criticizing enforcement of

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[203] Jeff Adachi and Naneen Karraker, "The Waste, Inequity of Filling Jails with Those Who Can't Make Bail," *San Francisco Chronicle*, 23 Oct. 2014, Web.
[204] Ibid.
[205] Coalition on Homelessness, "Punishing the Poorest," 2.
[206] Ibid.,2.
[207] University of California, Berkeley Law School, "California's New Vagrancy Laws," 18.
[208] Coalition on Homelessness, "Punishing the Poorest," 63.

QOL laws as "too expensive" and yielding "limited results."[209] The report documented that San Francisco spent nearly $20.6 million in 2015 on enforcing QOL laws and administering violations of said laws.[210] The Police department accounts for nearly 90% of these costs.[211]

As described in the last chapter, while under neoliberalism there is a "roll back" of the state in certain ways, there is simultaneously a "roll out" of institutional and political technologies. Municipal governments must manage the consequences of the neoliberal reduction of the welfare state. This has largely been carried out through the rise of mass incarceration, surveillance, and policing. Jeremy Simon names this process the transition from the welfare state to the penal state.[212] He discusses a "governing through crime mentality," which situates crime as a model problem for governance.[213] Consequently, all other social problems (including homelessness) are recognized, defined, and acted upon through the perspective of crime.[214] Here, the prison becomes as a "waste management center" and is rendered a public good and governing tool, meant to "contain toxicity."[215] This "waste management" vision is reproduced in public space via the behavior policing and containment of tactics of removal, relocation, and citation. As the most visible form of poverty, homelessness is increasingly envisioned as a problem of criminality, and dealt with accordingly in San Francisco.

311: Neoliberal Management of Public Space for All

From 2014 to 2015, homeless QOL incidents increased by 34.8%, even though the homeless population only grew 3.9% between 2013 and 2015.[216] This increase in QOL incidents is a direct result of both increased SFPD patrolling for QOL violations, and increased use of the

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[209] San Francisco Budget and Legislative Analyst's Office, "Policy Analysis Report."
[210] Ibid., 1.
[211] Ibid., 1.
[212] Jonathan Simon, *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (Oxford: Oxford University Press, 2007), 6-7.
[213] Ibid., 14.
[214] Ibid.
[215] Ibid., 153.
[216] San Francisco Budget and Legislative Analyst's Office, "Policy Analysis Report," 2.

311 San Francisco Customer Service Center for non-emergency calls. According to the Budget

and Legislative Analyst's Office, the 311 Center "provides San Francisco residents, visitors, and

businesses with access to information about government services."[217] 35% of the calls received

by the 311 Center between January 2015 and December 2015 were homeless-related and

categorized as complaints "driven by quality of life violations."[218] This prevalence of 311 calls

and the rise in QOL incidents and citations, is further evidence of the power of the select group

of retailers and residents who surveil and report homeless people.

     This power was increased in 2015 through the expansion of the 311 mobile app. While

the 311 center has had an app since 2013, in October of 2015 the system was updated to allow

residents to notify local authority of "homeless concerns." The app was originally used to notify

officials regarding (1) city services,[219] (2) graffiti, garbage, and street cleaning;[220] and (3) traffic

and pedestrian issues.[221] By adding "homeless concerns" to the list, the app equates homeless

people with graffiti, potholes, and abandoned vehicles. When Mayor Lee announced the

addition to the app, he explained it would make it easier for homeless people to find and receive

services. During his introduction of the new "homeless concerns" category he stated:

> Today, we take a step forward as a *compassionate* City, providing this new way for constituents to let us know about a person who needs a well-being check...Walking past someone suffering on the streets does not reflect our San Francisco values. Our residents want to help, and we are providing easy ways for them to do that. These enhancements to the SF 311 app will give people who live, work, or visit San Francisco a way to let the City know about homeless residents who might need help accessing safe, clean emergency shelters, vital services or finding permanent housing.[222]

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[217] Ibid., 7.

[218] Ibid., 7.

[219] Connected Bits LLC, "SF311," Apple App Store, Vers. 3.17.5 (2017). See "Choose Services" including noise, park requests, streetlight repair, tree maintenance, potholes and street defects, damaged public property, flood and sewer issues.

[220] Ibid., including street or sidewalk cleaning, graffiti, garbage containers, illegal postings.

[221] Ibid., including abandoned vehicles, sidewalk defects, parking and traffic sign repair, and blocked sidewalk or parking spaces.

[222] Office of the Mayor, "SF 311 App Updated to Make it Easier for Residents to Help Homeless People in Need of Well-Being Check & Allow City to More Efficiently Respond to Concerns Such as Encampments & Syringes,"*sfmayor.org*, 8 Oct. 2015, Web. Emphasis Added.

This streamlined "one-stop" alert system, Mayor Lee suggests, gives San Francisco residents the ability to take part in the "compassionate" systems of care and support the city provides.[223] As City Administrator Naomi Kelly explained, "a simple smartphone and SF 311 app can provide life-saving connections" and including homeless concerns "is yet another way of providing a convenient way for the public to be proactive in reporting concerns or issues as they see them." [224] But this "proactive" public most often uses the app not to call for "well-being" checks referenced by Mayor Lee, but to notify authorities of encampments and clean up needs.[225] The figures below are screenshots taken of public "homeless concerns" made on the 311 app.
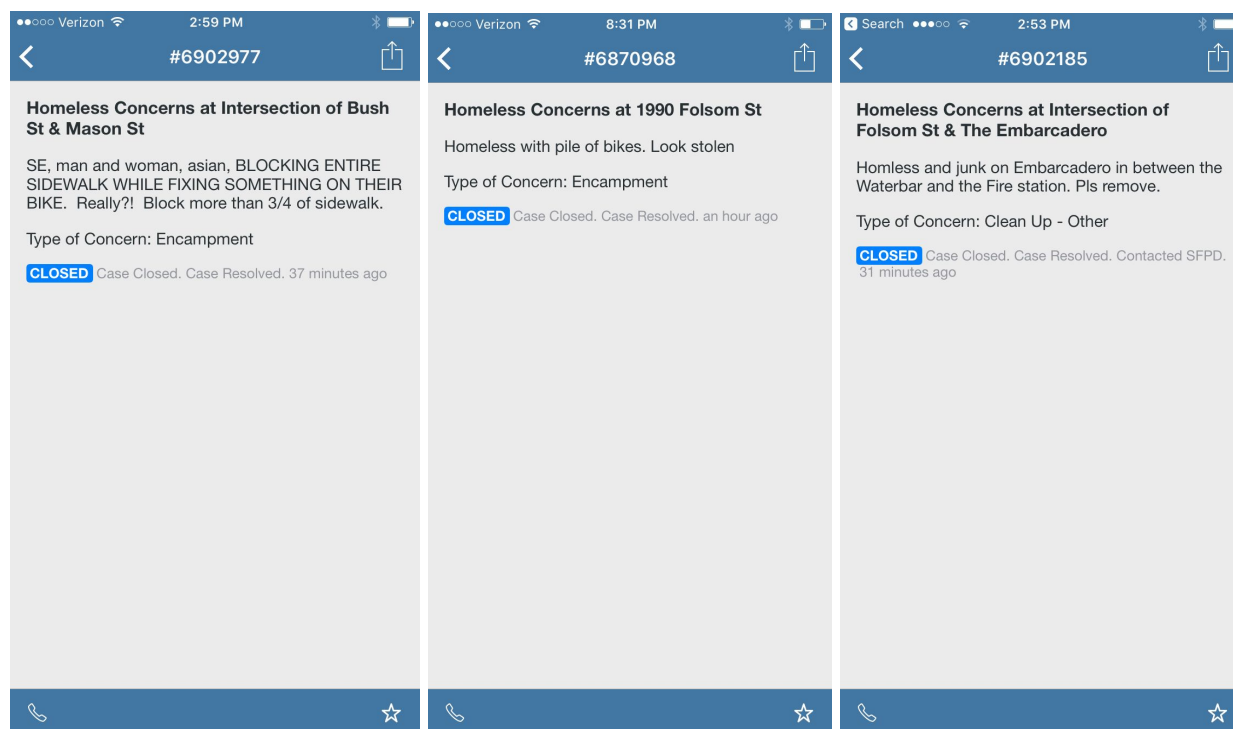
226

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[223] Ibid.
[224] Ibid.
[225] Based on a survey of "homeless concerns" complaints made on the 311 app between January-April 2017.
[226] Connected Bits LLC, "SF311," Apple App Store. These images are only a handful of the many anti-homeless postings to the 311 app I reviewed between January-March 2017. The app updates postings at live speed so there is a constant stream of complaints to view. Download the SF 311 app on the apple store for free to view others.

#6902164

Street or Sidewalk Cleaning at 4081 17th St

Submitted Photo

Garbage and vagrants blocking the sidewalk behind the muni tunnel on the westbound side of Market at Diamond.
Fourth report.

Object: Other Loose Garbage / Debris

CLOSED Case Closed. Case Resolved. sfpd advised cad 170 631 378. 33 minutes ago

#6869713

Homeless Concerns at 22-32 Golden Gate Ave

At least four homeless people sleeping and loitering at corner of Golden Gate and Taylor.

Type of Concern: Clean Up - Waste

CLOSED Case Closed. Case Resolved. an hour ago

#6901626

Homeless Concerns at 2865 Folsom St

Blocking door to building - pile of stuff, person sleeping, possible stream of urine on ground. In between purple building (2865 Folsom) and yellow building.

Type of Concern: Encampment

CLOSED Case Closed. Case Resolved. advise sfpd. 32 minutes ago

227

Across these postings homeless people are literally rendered garbage, in need of removal, or thieves, inevitability criminal no matter the context. The people using the app here are astounded and angered by the visual affront of homeless people's occupation of space. Every person who uses this app is not consciously rejecting the citizenship and humanity of homeless people, but in playing into this system of surveillance, they aid in the perpetuation of homeless criminality. This is the materialization of "broken windows" logic in action. This indicates not a liberal ethos of a "compassionate" San Francisco, but an aesthetic judgement rising above the rights of homeless people. Part of the politics of disposability described above therefore, includes privileging the gaze of housed people to not see the visible poor or witness injustice. In discussing this double-standard Waldron writes:

> Now one question we face as a society– a broad question of justice and social policy– is whether we are willing to tolerate an economic system in which large numbers of people are homeless. Since the answer is evidently, "Yes," the question that remains is whether we are willing to allow those who are in this predicament to act as free agents, looking after their own needs, in public places –the only space available to them. It is a deeply

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[227] Ibid.

frightening fact about the modern United States that those who have homes and jobs are willing to answer "Yes" to the first question and "No" to the second.[228]

For some this "no" means engaging in quotidian policing and maintenance of the boundaries of normative social order that rejects homeless bodies but not homelessness. Former Police Chief Greg Suhr, who was asked to resign in 2016 after a series of fatal police shootings,[229] contended that the app's new feature was representative of the morals of the city, and stated "It's just not San Francisco to walk past people and just think that you can't do anything."[230] This appeal to San Francisco's progressivism and sense of solidarity however, is meaningless in practice, as those posting complaints do so for the sake of cleanliness and aesthetic upkeep. These "proactive" residents add to a system of "care" dependent on increasing clearance and the spatial isolation of poverty, wherein punitive policing and citations reject the rights of homeless people.

The punitive carceral system epitomized through QOL laws and the suburbanized, aesthetic code fortified through neoliberal urban planning and public-private partnerships described in Chapter 1 together bolster this surveillance as the *perception* of threat has come to define safety rather than *actual* threat.[231] Mitchell's concept of "'S.U.V.' citizenship" is realized herein as the private-property based "right to exclude" has become "the right to be left alone" in public space.[232] As a result, commonly accessible public space is increasingly minimized through rising repression of certain practices deemed intimidating to this "right to be left alone." The use of the 311 app demonstrates what happens when a certain class of people makes use of a surveillance tool to report on what they believe is the misappropriation of public space.

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[228] Waldron, "Homelessness and the Issue of Freedom," 304.
[229] Emily Green, Bob Egelko, Jenna Lyons, and Erin Allday, "SFPD Chief Greg Suhr Resigns after Police Killing of Woman," *SFGate*, Hearst Communications, 20 May 2016, Web.
[230] Bay City News, "San Francisco Mayor, Police Chief Ask Public to Report Homeless in Need via Mobile App," *KRON4.com*, Nexstar Broadcasting, 08 Oct. 2015, Web.
[231] In *City of Quartz*, Mike Davis describes this as safety through "personal insulation," 224.
[232] Don Mitchell, "The S.U.V. model of citizenship: floating bubbles, buffer zones, and the rise of the 'purely atomic' individual," *Political Geography* 24.1 (2005): 77-100.

Because property rights are bound to whiteness, this further promotes what Willse identifies as

"white entitlement to the city."[233] Surveillance reshapes public space and the approved public

along racialized-class lines as the right to be left alone is inherently tied to private property

rights. This has given rise to what Regina Gagnier refers to as the "aestheticization of

homelessness," whereby homeless policy is mainly concerned not with the problems *endured*

by homeless people, but rather the aesthetic problems *caused by* homeless people.[234]

CONCLUSION

This practice of homeless management reproduces systems of inequality without

attempting to actually end homelessness. As Mitchell writes:

> No matter how appalling it might be to argue and struggle in favor of the *right* to sleep on
> the streets or urinate in an alley, it is even more appalling, given the current ruthless rate
> at which homelessness is produced, to argue that homeless people should *not* have that
> right.[235]

Homelessness is a complex issue, but when we raise aesthetic values of redevelopment over

homeless people's practices of survival, we reject their personhood, rights, citizenship, and the

value of their lives. The co-production of law, policing, popular surveillance tactics, and space

allows San Francisco to become a city for the housed, wealthy, white "public" that is not as

tolerant or diverse as espoused by the tourist industry and the USBID professional literature.

That vision of San Francisco is false, even if those engaged in placemaking say differently. The

"right to be left alone" in public space combined with the fear and anxiety surrounding urban

disorder, as well as the neoliberal economic imperative to support image production and

placemaking have prompted the expulsion of homeless people from public space. This in turn

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[233] Willse, *The Value of Homelessness*, 80.
[234] Regina Gagnier, "Homelessness as 'an Aesthetic Issue': Past and Present," *Homes and Homelessness in the Victorian Imagination*, Eds. Murray Baumgarten and H. M. Daleski (New York: AMS Press, 1998).
[235] Mitchell, *The Right to The City*, 27.

bolsters urban pseudo-public development. The following chapter demonstrates how this criminalization impacts the way "care" is conceptualized and in turn reinforces the spatial order created through policing and surveillance.

Chapter 3: *Homeless Policy: The False Progressivism of Accommodation*

The construction of homeless people as non-citizens operating outside of normative order, has combined with the neoliberal emphasis on image development and placemaking to facilitate a deep concern with removing homeless people from public space. Homeless policy has changed over the past 35 years, but the process of clearance and containment remains regardless of the rhetorical alteration or new mayoral campaign to end homelessness. The citations keep coming and this process of behavior policing and removal lives on. Both the city and public-private partnerships like the USBID rely on and strengthen this criminalization through their policies of homeless management and systems of "care." Thus the rejection of homeless people outlined in Chapter 2 – from public space, citizenship, and rights-recognition – feeds into homeless services in San Francisco as they work more to accommodate homelessness, than to actually work against the causes of homelessness. Where immediate removal of homeless people from sight is supreme, any focus on long-term eradication of homelessness itself is lost.

SERVICES PAIRED WITH CRIMINALIZATION: A BRIEF HISTORY OF SF POLICY

As mentioned earlier, the quality of life paradigm largely began with Frank Jordan's 1992 "zero-tolerance" Matrix Program. However, this obviously anti-homeless platform was generally identified as illiberal and unjust.[236] Consequently, when Willie Brown became Mayor he quickly dissolved the program claiming that under his administration the police would spend time targeting real threats "rather than rounding up people whose only crime is being poor."[237] Shortly

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[236] It was even challenged in court due to its vagueness and discriminatory practice but the Court upheld the program (*Joyce V. San Francisco* 1994).
[237] Willie Brown quoted in Edward Epstein, "Homelessness No.1 Problem, S.F. Voters Say: They Want Issue Given Mayor's Highest Priority," S*an Francisco Chronicle*, Hearst Communications, 30 Oct. 1995, Web.

after however, Brown rebooted the laws set in place under Matrix but with a tweak in rhetoric. Even though the Matrix program officially ended in 1996 when Brown took office, that year 17,532 QOL citations were issued.[238] This number was higher than the number for the previous year when the Matrix Program was still in effect.[239] Also, during Brown's time in office he passed ordinances banning camping in parks (2000), loitering near public toilets (2001), and aggressive panhandling (2003). The Board of Supervisors also passed a law at that time prohibiting urinating and defecating in public (2002), but no new public bathrooms were opened.[240]

Gavin Newsom came into office in 2004 after having championed his "Care Not Cash" campaign. Care Not Cash abolished General Assistance entitlements with the promise that the money saved through cuts would be channeled into permanent supportive housing, services, and shelters. Newsom then implemented an anti-panhandling ordinance geared towards pushing violators into treatment that was largely underfunded.[241] This discursive focus on "care" was largely superficial as Newsom reduced funding for substance abuse treatment and mental health services, while still making use of policing as a means of "outreach." While Newsom established a progressive "Housing First" policy centered around increasing affordable housing and reducing restrictive shelter methods through the "10-year Plan to End Homelessness," his efforts were routinely focused on the reduction of *visible* disorder and poverty.[242] This programming partially protected him from criticism even as he continued to manage the homeless population through policing, surveillance, and clearance.[243] Before his term ended, the "Civil Sidewalks" proposition was enacted, making it unlawful to sit or lie on the sidewalk between 7am and 11pm.[244]

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[238] Coalition on Homelessness, "Punishing the Poorest," 74.
[239] In 1995 when Frank Jordan was still Mayor, 14,276 quality of life citations were issued.
[240] Coalition on Homelessness, "Punishing the Poorest," 74-75.
[241] Ibid., 75.
[242] For more information on "Housing First" see Craig Willse *The Value of Homelessness*, Chapter 5.
[243] However, this protection was not from the far left. Some activists burned Newsom in effigy after he took office.
[244] SFPD, "Civil Sidewalks Ordinance FAQs,"*SanFranciscoPolice*, City and County of San Francisco, n.d., Web.

Current Mayor Ed Lee has moved on this trend of "progressive" solutions in the past

year, setting up a new Department of Homelessness and Supportive Housing. Opening in July

of 2016, the new department brings together the different municipal organizations involved in

homelessness, particularly the Department of Public Health and the Human Services Agency.[245]

With a budget of nearly $165 million annually, it encompass the majority of spending on

homelessness in San Francisco. The primary goal of the new Department is to move 8,000

people out of homelessness by the end of Mayor Lee's term.[246] They plan to do this through a

"Housing First" focus, "building on the culture of client-centered services within the City's system

of care & housing," and "continuing to move toward a fully coordinated system with

transparency in the housing placement process."[247]

Another symbol of this supposed change in trajectory has been Navigation Centers. The

Navigation Center model is meant to appeal to those who feel emergency shelters are unsafe,

inadequate, or too restrictive of behavior by eliminating the barriers to shelter. The centers don't

have curfews, are open 24-hours a day, have mixed gender sleeping (allowing couples to

remain together), permit entry to people with pets, provide storage for belongings, and don't

require sobriety while there. The first Navigation Center opened in 2015 in the Mission District in

San Francisco with 75 beds, shortly followed by a second near the Civic Center in the summer

of 2016 with 93 beds.[248] Five more are expected to open by 2019.[249]

This model is relatively radical and steps back drastically from a system of punitive

shelterization that has been well documented by activists and academics.[250] But while the more

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[245] Office of the Mayor, "Mayor Lee Announces City's New Department of Homelessness & Supportive Housing & Appoints Jeff Kositsky Director," *sfmayor.org*, City and County of San Francisco, 11 May 2016, Web.
[246] Ibid.
[247] "Overview," *dhsh.sfgov,* Department of Homelessness and Supportive Housing, n.d., Web.
[248] "San Francisco Navigation Centers: A housing focused, welcoming, short-term shelter model," *dhsh.sfgov,* Department of Homelessness and Supportive Housing, January 2017, Web.
[249] Shane Downing, "San Francisco's Homeless Youth Were Promised A Navigation Center. Where Is It?," *Hoodline*, Pixel Labs, Inc., 07 Dec. 2016, Web.
[250] See Vincent Lyon-Callo *Inequality, Poverty, and Neoliberal Governance: Activist Ethnography in The Homeless Sheltering Industry* (Toronto: University of Toronto Press, 2008); Willse *The Value of Homelessness*; Teresa

welcoming nature of the Navigation Centers is laudable, Mayor Lee continues to rely on quality

of life policing in order to manage the homeless population, claiming that the city must use

"tougher love" in order to ensure that people accept services.[251] This can be seen in the recent

ballot initiative Proposition Q mentioned briefly above that passed in November of last year. The

proposition bans encampments on city sidewalks and authorizes city officials to remove them 24

hours after offering some form of shelter. But the number of days people will be provided shelter

for remains unstated. The proposition was funded and backed by "downtown interests" including

the Chamber of Commerce, tech investors, and downtown City Supervisors.[252] Also on the

ballot in November of 2016, were two other homeless related propositions, K and J. Proposition

J passed to establish a special fund of $150 million to be spent on homeless services and public

transportation. Proposition K would have increased the city sales tax to 9.25 percent (from 8.75

percent) in order to generate the new money necessary for the special fund. However,

Proposition K failed to pass so there was no money to be allocated.[253] Meanwhile, Mayor Lee

has subsequently cut funding for housing subsidies that help prevent homelessness across the

city.[254] The reliance on punitive policing and enforcement of QOL laws then continues without

real support for services.

Again and again homeless services have been bound to criminalization. As Gowan

explains, the "unprecedented reliance on incarceration could not stand without the support of

softer, more therapeutic forms of state intervention that offer the marginal some kind of pathway

Gowan *Hobos, Hustlers, and Backsliders*; Coalition on Homelessness San Francisco, "Shelter Shock: Abuse, Cruelty, and Neglect in San Francisco's, Shelter System" (May 2007): 1-41.

[251] Lee as quoted in Emily Green, "SF mayor, judges at odds over quality-of-life punishment," *San Francisco Chronicle*, Hearst, 16 Dec. 2016, Web.

[252] Joshua Sabatini, "Prop. Q Divides SF over How to Address Homelessness," *The San Francisco Examiner*, The San Francisco Examiner, 06 Oct. 2016, Web.

[253] Kevin Fagan, "Voters Opposing SF Tents, Backing Housing for Homeless," *SFGate*, Hearst Communications, 09 Nov. 2016, Web.

[254] Crystal Yu, "Mayor Cuts New Housing Subsidies Putting Hundreds at Risk," *Streetsheet*, Street Sheet, 01 Feb. 2017, Web.

back into normality and citizenship."[255] These somewhat more progressive initiatives work to legitimize the clearance of non-normative poor bodies from public space while simultaneously refusing to actually address the systemic causes of the homelessness they "manage." This has reproduced a system whereby homeless policy seeks largely to accommodate the problem of homelessness and not to provide actual solutions.[256] Homeless people are removed from public space and the underlying causes of homelessness go unquestioned. Willse identifies this phenomenon as excessively focused on an "individual-reparative strategy" that has displaced a focus on structural conditions of housing insecurity and deficiency. Explaining this he writes, "What to do *with* the homeless, rather than what to do *about* housing, has become the obsession of government policy, social service practice, and social scientific inquiry."[257]

San Francisco's deep reliance on the QOL paradigm maintains this system of non-structural critique, wherein the housing shortages caused by top-down urban redevelopment, as well as bottom-up gentrification are far from reckoned with. California ranks 49th among the 50 US states for housing units per capita.[258] San Francisco doesn't have the luxury of not dealing with the shortage of housing and especially affordable housing. It may be a progressive city in some ways, but homeless policy that marries services to criminalization and worries more about moving homeless people from public space and containing visible poverty than eradicating homelessness prove that this progressivism is largely superficial. The following section displays how the USBID not only support the remaking of public space through the criminalization of homelessness, but actually coopt the municipal power to surveil, police, and remove in its quest for visible order, aesthetic value, and pseudo-public establishment.


[255] Gowan, *Hobos, Hustlers, and Backsliders*, 287.
[256] Gowan identifies the current San Francisco system as one that emphasizes "incarceration over integration," and "punishment over rehabilitation," *Hobos, Hustlers, and Backsliders*, 286.
[257] Willse, T*he Value of Homelessness*, 54.
[258] Jonathan Woetzel, Jan Mischke, Shannon Peloquin, Daniel Weisfield, "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," Mckinsey Global Institute (October 2016): 1-68.

UNION SQUARE CARES

As I discussed in the last chapter, through the "Public Realm Action Plan," the USBID employ a strategy of branding, image development, and marketing, as well as the regulation of behavior, bodies and space through design, surveillance, and policing in order to "activate" public space.[259] They seek to take control of public space as a means of "enhancing the pedestrian experience, improving public safety, promoting the Union Square brand, and spurring private- and public-sector reinvestment."[260] In 2015, the USBID launched "a comprehensive education campaign and services program...to address the issue of homelessness in Union Square" called Union Square Cares.[261]
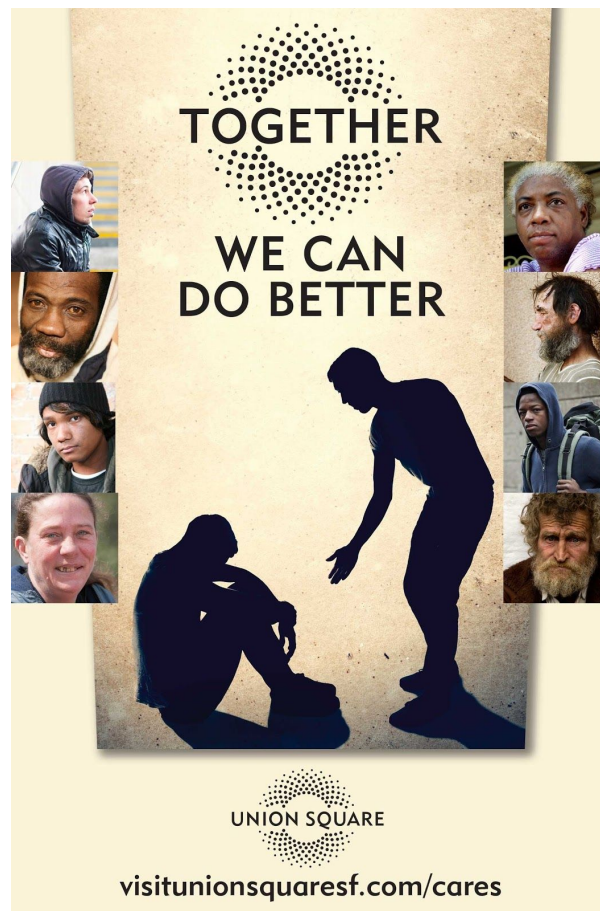
Union Square Cares poster[262]

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[259] Union Square Business Improvement District, "Strategic Plan 2016."
[260] Ibid., 9.
[261] Flood, "Annual Report 2015-2016."
[262] "Union Square Cares 2016," YouTube Video, 1-10:16, posted by "UnionSquareSF," 15 Sep. 2016.

They "address the issue of homelessness" through a collective response strategy that unites Union Square businesses with the Police Department, local nonprofits, the travel bureau, the Hotel Council, and City Hall.[263] Explaining this vision on their website they state, "we know that we can do better by working together with employees, our visitors, and our managers on cohesive strategies to reach people who need our help the most."[264] During the news conference at the end of 2015 when the plan was announced, Karin Flood, the executive director of the USBID stated "we want to have an answer" to tourists' questions about why there is a large homeless population in the area, what the city is doing to deal with the problem, and how they can help.[265] Their reasoning for the implementation of the program is bound to the BID's worry that visible poverty will taint the image production and branding that they put so much time and money into. Repeatedly throughout their literature they mention the presence of homeless people as "overwhelming," and "adding to negative visitor perceptions about the district's safety and overall appeal as a location to stay, visit, or play."[266] The USBID recognize homelessness as a financial threat because they profit from the consumption of public space as visitors come to "play" in the area and consequently spend money at nearby businesses. They worry they will lose profits if visitor consumers are scared away by the guilt and fear that visible poverty inspires in the middle-class consumer "public." For this reason, the USBID repeatedly reference a desire to "educate" the tourist population in order to ensure that tourists know that the city is confronting homelessness and that the USBID actors are involved in the "solution."[267]

Union Square Cares works to bolster the USBID's identity as a positive steward of the community, that gives back and works with different groups to solve community issues. This

[263] Heather Knight, "Union Square Merchants Prepare Wide-Ranging Homeless Outreach," *San Francisco Chronicle*, San Francisco Chronicle, 11 Dec. 2015, Web.
[264] "Union Square Cares," *Visit Union Square SF*, Union Square, n.d., Web.
[265] Knight, "Union Square Merchants Prepare Wide-Ranging Homeless Outreach."
[266] Union Square Business Improvement District, "Strategic Plan 2016," 22.
[267] "Union Square Cares 2016," YouTube Video, 0:15-0:38.

shields them from critique and at least superficially works to absolve them of any influence in engendering homelessness. The USBID build on the municipal homeless policy platform as they accommodate homelessness, while refusing to recognize the structures that cause homelessness, much of which the USBID may be complicit in through its promotion of "revanchism."[268] They actively engage in top-down redevelopment and the promotion of bottom-up gentrification as they recreate what "public" space looks like and who can be considered part of the "public" in order to sell the neighborhood. Regardless of their potential role in reproducing homelessness however, the USBID strongly rely on the zero-tolerance policing tactics of the quality of life paradigm and therein mirrors and reinforces the municipal management of homelessness. They do so through advocacy, the securitization of public space, and the employment of homeless people.

USBID Advocacy

The USBID "advocate for a clean, safe, attractive, and vibrant Union Square to City officials and stakeholders on behalf of its members and serve[s] as 'the voice of Union Square' on City and State public policy and priorities affecting the district."[269] In order to enact this "voice," they name City officials and decision makers, business and advocacy groups, and both private and nonprofit agencies as partners with whom they can gain resources for Union Square and promote their vision of the neighborhood.[270] Overall, they hope through "navigating political processes and personal relationships with key individuals and partner organizations," they will realize their goal of seeing a "clean and safe district," free of undesirable practices that challenge the value of their properties and their created pseudo-public spaces.[271]

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[268] Smith, *The New Urban Frontier*.
[269] Union Square Business Improvement District, "Strategic Plan 2016," 10.
[270] Ibid.
[271] Ibid., 36. Emphasis Added.

One of their objectives under the advocacy banner includes "influence City and State legislation impacting the USBID's mission and Union Square."[272] They specifically name partnering with the San Francisco Travel Association, the world's largest "destination marketing organization"[273] in order to "advocate for clean, safe, and *civil sidewalks*."[274] It's no coincidence that this terminology matches that of the "Civil Sidewalks" ordinance described above that prohibited sitting and lying on the sidewalk at certain times. Not only does this wording relay the discourse on civility that has become increasingly employed to manage public space for the sake of a specific aesthetic order, but it also matches the municipal policy outlined above. The USBID ensure the continuation and development of San Francisco's quality of life paradigm through its advocacy. In order to quell the financial threat posed by the presence of homeless people, the USBID advocate for legislation that criminalizes homelessness and allows them to purify their neighborhood through the quotidian enactment of class cleansing.

Securitization: The Private Enforcement of Quality of Life Laws

The USBID also coopt municipal "zero-tolerance" policy. Here, I employ a modified version of what Hiroshi Motomura has called the distinction between the law on the books and the law in action.[275] While Motomura is focused on immigration law, he highlights the manner in which the law is actively negotiated through practice, rather than a unilateral fixed structure employed from the top.[276] The QOL laws described at length in the previous chapter must be enforced, usually by police officers who are endowed with the right to use force and punish, further increasing their legitimacy and means of enforcing said laws. However, as clearly shown when race is taken into account, enforcement is often selective and up to individual officer

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[272] Ibid.
[273] "About the San Francisco Travel Association," *San Francisco Travel*, San Francisco Travel Association, n.d., Web.
[274] Union Square Business Improvement District, "Strategic Plan 2016," 37.
[275] Hiroshi Motomura, "The President's DIlemma: Executive Authority, Enforcement and the Rule of Law in Immigration Law," *Washburn LJ* 55.1 (2015): 15-47.
[276] Ibid.

discretion. I contend that the enforcement of QOL laws has endured a type of selective

enforcement. Officers have options as to how to enforce the law – warn, cite, clear, or arrest –

and while these reactions align with the threat espoused through the laws, it is typically left up to

the discretion of the actual officers of whether, when, and how homeless people will be dealt

with. From this note on enforcement, as well as the general construction and reconstruction of

homeless people as non-citizens that can be rightfully removed from pseudo-public space, it

becomes clear that tactics of enforcement can be enacted by different types of authority figures.

Consequently, the second factor of Union Square Cares requires employing the USBID

Ambassadors as private security guards, endowed with the right to enforce QOL laws. Through

Union Square Cares, the USBID have appropriated the SFPD's possession of the *threat* of force

for their own means as their ambassador-security guards clear away visibly homeless people.

While these USBID agents cannot actually use force to clear away homelessness, they are still

endowed with a degree of authority as they themselves represent the private stewardship of the

BID and are in direct contact with the SFPD. According to one ambassador interviewed in a

Union Square Cares promotional video, "Union Square, the BID, all of us are out here every

single day trying to do whatever we can to help get these people get to a *better place*."[277] While

this "better place" remains unspecified, he makes it clear it's not in the Union Square

neighborhood.

The Union Square Cares program employs a "call, contribute, connect"[278] manifesto that

requires the ambassadors act as protectors of public space through both removing homeless

bodies and engaging tourists in the "eyes and ears" surveillance of the neighborhood. The

ambassadors provide visitors with a phone number to call if they see a homeless person in

need.[279] The call goes to USBID-employed dispatchers that can then notify either a municipal

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[277] "Union Square Cares 2016," YouTube Video, 2:20-2:28. Emphasis added.

[278] "Union Square Cares," *Visit Union Square SF*, Union Square, n.d. Web.

[279] Knight, "Union Square Merchants Prepare Wide-Ranging Homeless Outreach."

Homeless Outreach Team (HOT) social worker, or the SFPD depending on the circumstances.

The HOT social service provider works to "reach out to homeless people as a streamlined

connection point to critical services in real-time," and maintains daily statistics on the homeless

population culminating in monthly reports on demographics and QOL or other incidents.[280] The

USBID also implore visitors to use the 311 app described above.[281] Lastly, the ambassadors are

endowed with information to hand out to tourists and shoppers explaining the homelessness

problem in San Francisco and encouraging them to donate to local nonprofits, rather than give

money to panhandlers, thus reiterating the rhetoric of Newsom's "Care not Cash" campaign.[282]

"Ending Homelessness Through the Dignity of Work"

In addition to "call, contribute, connect," the Union Square Cares program includes a

contract with the Downtown Streets Team (DST), described in the annual report as a "Bay Area

non-profit whose mission is 'ending homelessness through the dignity of work.'"[283] They provide

job training, case management, and connection to City services in return for cleaning the

streets. USBID director Karin Flood, envisions it as a service that allows homeless people to "be

employed, and step up, and move on with their lives, to be productive members of society."[284]

For being part of this "work experience team," where participants "volunteer their time to help

beautify the community," homeless people receive a weekly stipend of about $100 for their 20

hours of work per week.[285] To say nothing of the fact that this is far from a livable wage in San

Francisco, this stipend comes in the form of vouchers for stores like Safeway and Target, further

reproducing the narrative that homeless people can't be trusted with their own welfare and

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[280] "Union Square Cares," *Visit Union Square SF*. The Homeless Outreach Team operates under the SF Department of Human Services throughout the City. Moreover, the monthly reports from Jan. 2016 to October 2016 can be found at "Facts and Figures," V*isit Union Square SF,* Union Square, n.d., Web.
[281] "Union Square Cares," *Visit Union Square SF*.
[282] Knight, "Union Square Merchants Prepare Wide-Ranging Homeless Outreach."
[283] Flood, "Annual Report 2015-2016," 3.
[284] "Union Square Cares 2016," YouTube Video, 7:20-7:32.
[285] Ibid., Brandon Davis, SF DST's Project Director, 7:30-7:40.

instead must be selectively managed through a "Care not Cash" approach.[286] According to

DST's founder and Napster's first CEO, Eileen Richardson, "We [DST] are a gateway to the

many awesome services that are often in a city already, *especially this city.*"[287] This program

reiterates the narrative of San Francisco as progressive and fully capable of satisfying all needs,

while reinforcing a belief that the homeless services provided actually work, and that homeless

people just need to be "connected" to them.

      With this self-proclaimed "compassionate response,"[288] the USBID reinforce municipal

policy on homelessness. Just like in municipal service provision, the "solution" is greater

emphasis on "outreach" and enforcement of the punitive QOL laws. Union Square Cares fails to

acknowledge the structural causes behind homelessness and that many services provided in

the city of San Francisco are inadequate and often dangerous.[289] The spatial management of

neoliberalization is realized through the program, as non-governmental actors are endowed with

the task of surveilling those who occupy public space so as to police and correct their behavior

and enforce normative "civility" bound to consumption.

      The USBID privatize homeless policy and the enforcement of quality of life laws. Here,

there lays a deep irony of privatization. Homeless people are removed from public spaces

largely because they are "out of place," performing life-sustaining "private" practices such as

sleeping or urinating in public space. Meanwhile, the USBID privatize public space for

redevelopment and economic growth. The former privatization is instantly refuted and

interpreted as illegitimate, while the later is praised as an innovative practice of overcoming

economic instability and perceived unsafety.[290]

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[286] Joshua Sabatini, "SF homeless team up to keep streets clean," *The San Francisco Examiner*, The San Francisco Examiner, 16 Sep. 2016, Web.
[287] Ibid. Emphasis Added.
[288] "Facts and Figures," V*isit Union Square SF.*
[289] Coalition on Homelessness San Francisco, "Shelter Shock."
[290] Mitchell makes a similar point in *The Right to the City*.

CONCLUSION

The combined criminalization and accommodation practiced in San Francisco over the past 30 years inscribes injustice into the built environment as it works to remove homeless people from public spaces. The "solution" to homelessness will never come about through this system because the goal of policy and services is to manage and organize homeless people rather than to actually end homelessness. Rather than question the housing system and try to come up with ways of challenging the processes of inequality that enforce systems of spatial liminality, both the municipality and public-private partnerships work to simply remove homeless people from visibility. They address the residual issues but not the root of the problem. While structures of accommodation, rather than radical structural critique and change are employed in reaction to pretty much every contemporary problem there is, what is especially frightening here is that a private interest group has a hand in shaping the outcome. It is no longer just the state that can lay claim to policing behavior, enforcing the law, and crafting convoluted solutions. In the era of privatization, even "care" has become privatized and at least in Union Square, considered a necessary act in order to cater to the progressive ideal imagined in San Francisco. If this is the fate for conceptions of care in our society then homelessness will likely only increase.

Conclusion: *Resistance and Reclaiming Public Space*

This thesis has worked to unearth and examine the way neoliberal logic has been inscribed into the built environment of public spaces in San Francisco and intertwined with law and systems of homeless management and care. Through the 1985 Downtown Plan, municipal government set in motion a neoliberal project that they believed would allow them to remain competitive in the increasingly precarious global economy. From there, tourism build up and the spectacularization of public space took hold as privatization became the dominant method of securing economic sustainability and social control in the post-Fordist era. The Union Square neighborhood became a central site of neoliberalization after the structural modification and redesign of the Square paved the way for the rise of the Union Square Business Improvement District (USBID). The USBID reshape the public spaces they manage through a process of private stewardship dependent on marketing and image production, policing and regulating behavior, and supporting homeless management bound to criminalization, surveillance, and forced relocation. Ultimately, this is geared towards the reproduction of a certain use value in USBID controlled, pseudo-public space catered towards consumption. Quality of life laws, 311 apps, and narratives of homeless service progressivism work together to render homeless bodies out of place, and better served by services that either don't exist or do but work to supervise homeless people, not end homelessness.

This system of redeveloped pseudo-public space and the contingent homeless management is carried out by municipal government, public-private partnerships, law enforcement, and residents and tourists. Together these actors fortify neoliberalization through remodeling public space and enacting punitive responses to deal with homelessness. In working towards next steps, I highlight this complicity not to discourage collective management of public

space or "the right to city," but to remember that there are many people and tactics through which neoliberalization is operated and reproduced.

In *The Production of Space* Henri Lefebvre writes, "state imposed normality makes permanent transgression inevitable."[291] In this case however, "state" could easily be replaced with public-private partnerships and community surveillance. Regardless, the same remains true. When the behaviors that a certain class of people are required to perform in public space become criminalized through impositions of normality imbued through planning, architecture and landscaping, law, policing tactics, surveillance, and even the ways we conceptualize "care," transgression becomes inevitable. Homeless people challenge the narratives of growth and economic revitalization, property-based citizenship, and the public/private divide. Recognizing homeless people's transgression and contestation of these processes will push to move forward in rethinking urban spatial ordering.

While this thesis has not concentrated on homeless people's agency or tactics of resistance, this is not because they do not exist. The goal of this work is not to demonstrate homeless modes of survival or community building, but rather to expose the behind-the-scenes operations of power that work to manage and reproduce homelessness that manifest spatially everyday in San Francisco. I implore anyone interested to analyze further and examine this resistance and contestation. However, even if we cannot fully define this oppositional labor in San Francisco as of now, it is clear that something needs to change.

In the introduction, I mentioned demonstrations, defacing Super Bowl 50 signs, and calls for municipal investment in affordable housing leading up to the Super Bowl and following the construction of Super Bowl City. I only momentarily discussed these events not to minimize their

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[291] Lefebvre, *The Production of Space*, 23.

importance, but for the sake of brevity. The following images depict two of the Super Bowl 50

signs that were defaced to say, "Sup Bro 50" and "Lee Robs."
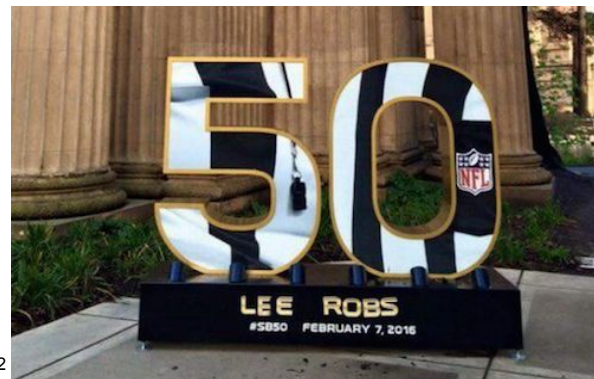
While it remains true that bottom-up criminalization of homelessness and support for developing

pseudo-public spaces is extremely prominent in San Francisco, these acts of protest illustrate

the potential for resistance. The resistance needed in San Francisco however must remake our

social and spatial order with a new logic of civility, identity, community, and rights not bound to

property ownership. By reorienting space from something to be owned or consumed to

something that can be inhabited, used, and made public, we can begin to produce a different

image and realization of the city. Neoliberal privatization and commodification of public space

have promoted a certain understanding of social order, but there is more than one

materialization of social order possible.[294]

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[292] Extra Mustard, "Temporary Super Bowl 50 Sign Vandalized, Altered to Say 'SUP BRO',"*Sports Illustrated*, Time Inc., 1 Feb. 2016, Web.
[293] Eve Batey, "Photo Du Jour: Palace Of Fine Arts Super Bowl 50 Statue Now Reads 'Lee Robs'," *SFist*, Gothamist LLC., 2016, Web.
[294] Mitchell, *The Right to the City,* 236.

Creating a different system of stewardship built on collective responsibility for public space amongst all residents of the city would allow us to rearticulate urban social order. In doing so, the right to "make and remake our cities and ourselves" would be bolstered.[295] I do not work from some premise of an authentic public space because I don't think essentializing the "public" is what brings about transformation. But public space can only be made *public* through occupation and appropriation of space by and for the people. Redefining who is considered part of the "public" however is key to achieving any just geography. Retaking public space must be done then with the most marginalized and dispossessed leading the way. For the right to the city to mean anything, we must also bring with it the right to housing, the right to space, and the right to control.[296] Herein, it is justice that will be central to conceptions and formations of the true progressive city rather than growth and commodification. While this vision as of now is simply a vision and not a means of mobilization, hopefully the ideological unearthing and interrogation of urban planning, spatial management, and homeless policy laid out through this thesis can be used as a map to diagnose and chip away at the neoliberalization of urban space and life. While I don't mean to read too much into a vandalized Super Bowl 50 sign that says "Sup Bro," I can't help but see it as a manifestation of hostility and a call for change that can be channeled into something much larger.

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[295] David Harvey, "The Right to the City," *New Left Review* 53.1 (2008), 23.
[296] Mitchell, *The Right to the City,* 222.